



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department
North Mall Office Building
725 Summer St. NE, Suite A
Salem, OR 97301
Phone 503-986-0900
FAX 503-986-0904
www.wrd.state.or.us

February 14, 2013

To: Parties to Klamath Basin Adjudication Consolidated Case 003

RE: Letter to parties re Ex Parte Communications; USFWS Map Stipulation

On April 20, 2012, the Oregon Water Resources Department (OWRD) staff notified the parties to Klamath River Basin Adjudication (Adjudication) Case 003 that OWRD had requested the United States Bureau of Reclamation (BOR) provide maps reflecting the place of use included in Attachment 2, Table 3 (Table 3) and Attachment 2, Table 5 (Table 5) in the 2006 Proposed Order in Case 003 (Proposed Order). Separately, OWRD staff requested that the United States Fish and Wildlife Service (USFWS) provide maps reflecting the portion of the place of use included in Attachment 2, Table 4A (Table 4A) and Attachment 2, Table 4B (Table 4B) in the Proposed Order that was not within scope of OWRD investigation maps accepted by USFWS.

Both the BOR and the USFWS have provided maps as requested by OWRD staff (the BOR maps are referred to herein as the BOR February 2013 Maps; the USFWS maps are referred to herein as the USFWS February 2013 Maps). These maps have resulted in an overall reduction of acreage as compared to the acreage recognized in the tables referenced above. The overall acreage reduction, calculated by OWRD staff, is described as follows:

Total Acreage in Proposed Order (combination of Tables 3, 4A, 4B and 5)

Proposed Order Acreage: 213,194.3 acres

Acreage based on BOR and USFWS February 2013 Maps: 203,482.2 acres

Specifically, the changes for each acreage table between the 2006 Proposed Order and the acreage based on the BOR and USFWS February 2013 Maps, as calculated by OWRD staff are as follows:

Table 3

Proposed Order Acreage: 157,943.1 acres

Acreage based on BOR February 2013 Maps: 154,960.2 acres

Table 4A (Tule Lake National Wildlife Refuge)

Proposed Order Acreage: 19,960.9 acres

Acreage based on USFWS February 2013 Maps (lands designated as Irrigated Refuge Lands, Farmed) and OWRD investigation maps accepted by the USFWS: 17,967.3 acres

Table 4B (Lower Klamath National Wildlife Refuge)

Proposed Order Acreage: 30,686.1 acres

Acreage based on USFWS February 2013 Maps (lands designated as Irrigated Refuge Lands, Farmed) and OWRD investigation maps accepted by the USFWS: 25,881.7 acres

Table 5

Proposed Order Acreage: 4,604.2 acres

Acreage based on BOR February 2013 Maps: 4,693.7 acres



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The acreage changes described above resulted from four sources. First, OWRD staff requested that the USFWS February 2013 Maps make a distinction between types of land based on OWRD's briefed position that the claims based on the Notice of May 17, 1905 may not include lands that, in OWRD's view, had not been reclaimed. The USFWS February 2013 Maps make that distinction by referring to two types of land: Irrigated Refuge Lands, Farmed, and Irrigated Refuge Lands, Non-Farmed. The exclusion of the Irrigated Refuge Lands, Non-Farmed from a revised version of Tables 4A and 4B results in the reduction of acres shown above for those tables.

Second, OWRD requested that the BOR February 2013 Maps not include inchoate acreage, based on OWRD's briefed position that the claimed inchoate acreage should not be recognized.

Third, the topography on the BOR February 2013 Maps was taken from the original topography contained in the investigation maps prepared by OWRD for the Adjudication. OWRD's investigation maps also included Public Land Survey System (PLS) data from the United States Bureau of Land Management (BLM). Refined PLS data have become available since the investigation maps were developed. The BOR February 2013 Maps rely on the refined PLS data and the original topographic data. Using the refined PLS data resulted in minor shifts between the survey lines (Township, Range, Section) and the physical features depicted on the topography. These shifts caused both the location and number of irrigated acres in various parcels to change, because the original irrigated acreage calculations were based on the prior PLS data. In addition, acreages depicted on the Project Maps were determined using the most recent technology available.

Fourth, the Klamath Project Water Users (KPWU) filed exceptions with respect to the exclusion of certain acreage from Proposed Order. OWRD staff determined that certain specific parcels of land claimed under the appropriations of water covered by Table 3 and Table 5 had been erroneously omitted from Table 3 and Table 5, and was within the scope of KPWU's exceptions. The inclusion of these lands results in an increase in acreage within certain quarter-quarters or government lots, but the overall acreage included within the BOR February 2013 Maps is less than the total acreage for the combination of Tables 3 and 5.

The creation of the BOR and USFWS February 2013 Maps, which included OWRD's review of these maps, necessarily involved ex parte communications between certain of the Case 003 claimants and the Adjudicator. Pursuant to OAR 137-003-0660, the Adjudicator is providing notice to all parties to Case 003 of communications that may constitute ex parte communications. Specifically, the enclosed CD includes written descriptions of the substance of oral communications that may constitute ex parte communications, and copies of written communications that may constitute ex parte communications. Among other items, the documents enclosed include the BOR and USFWS February 2013 Maps and documents showing revisions to Tables 3, 4A, 4B and 5 resulting from creation of the Maps.

Pursuant to OAR 137-003-0660(2)(b), the Adjudicator is providing any party to Case 003 who did not present a given ex parte communication an opportunity to rebut the substance of the ex parte communication. Any rebuttal evidence or communications must be received by the Adjudicator no later than the close of business on March 5, 2013. If any party communicates with the Department in response to the enclosed ex parte communications, copies of that party's communication must be sent to all parties in this case. Please send all responses to Oregon Water Resources Department, Dwight French, 725 Summer St NE, Suite A, Salem OR 97301.

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Pursuant to OAR 137-003-0660(3), the Adjudicator will include in the record of Case 003: (1) the documents on the enclosed CD, (2) a copy of this notice, and (3) any rebuttal evidence or communications received no later than the close of business on March 5, 2013.

USFWS Map Stipulation

The USFWS and BOR entered into a stipulation with OWRD staff concerning the creation and uses of the USFWS February 2013 Maps. As with other stipulations in the Adjudication, this stipulation constitutes a recommendation to the Adjudicator. It is not a final order and does not constitute or involve ex parte communication with the Adjudicator. A fully executed copy of the stipulation, with attachments, is included in the enclosed CD solely for the purpose of providing notice of the stipulation to the Case 003 parties.

ATTACHED CD:

The CD contains (1) a PDF file named "USFWS CLAIMS 317 AND 312 MAP STIPULATION with Attachments A and B," and (2) a folder named "ex parte." Within this ex parte folder are three ex parte communication logs, a spreadsheet showing the mapping changes, and an Outlook .pst data file containing ex parte emails.

To view the emails, please follow these instructions: (1) open the folder on the CD named "ex parte," then (2) drag the Outlook .pst data file named "ex_parte_email" to the computer desktop. Not moving the e-mail data file from the CD to the desktop will prevent the reader from being able to open the emails for viewing. This data file containing the ex parte contact emails must be opened from within Outlook. Once in Outlook (2010) to view emails (1) select the "File" tab, (2) select "Open" and (3) choose "Open Outlook Data File." (4) Navigate to the location of the email file on the computer desktop. This will create a new email new folder (similar to your "Inbox," "Sent Items," etc.) called "ex_parte_mail." Within this single folder there are two sub-folders named (1) "Ex-Parte – Project Mapping Project" (with a sub-sub-folder named "Ex Parte Project Map Sheet Review"), and (2) Ex Parte – USFW_NWR Map Review. There are individual emails (some with attachments) in each sub folder and sub-sub folder.

Sincerely,



Ann Reece
Adjudication Specialist
503-986-0827

Attachment: CD

BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF OREGON
for the
WATER RESOURCES DEPARTMENT

In the Matter of the Determination of the Relative Rights of the Waters of the Klamath River,
a Tributary of the Pacific Ocean

Edward & Marilyn Livingston, Sylvia G. Bruce, ~~WaterWatch of Oregon, Inc.~~, Horsefly Irrigation District, Langell Valley Irrigation District, Rogue River Valley Irrigation District, Medford Irrigation District, Roger Nicholson, Agri Water, LLC, Richard Nicholson, ~~Jim McAuliffe, McAuliffe Ranches~~, Maxine Kizer, Ambrose McAuliffe, Susan McAuliffe, ~~Joe McAuliffe Company~~, Kenneth L. Tuttle and Karen L. Tuttle dba Double K Ranch, ~~Dave Wood, Kenneth Zamzow, Anita Nicholson~~, Nicholson Investments, LLC; Wm. S. Nicholson, John B. Owens, Kenneth Owens, Wm. L. Brewer, Mary Jane Danforth, ~~Jane M. Barnes, Franklin Lockwood Barnes, Jr., Jacob D. Wood~~,¹ Elmore E. Nicholson, Mary Ann Nicholson, Gerald H. Hawkins, Hawkins Cattle Co., Owens & Hawkins, Harlowe Ranch, Terry M. Bengard, Tom Bengard, ~~Dwight T. Mebane, Helen Mebane, Farm Credit West, PCA; PCA Acquired Properties, LLC; Robinson Best, LLC~~;² ~~Sevenmile Creek Ranch, LLC~~;³ ~~Walter Seput~~, Clifford Rabe, Tom Griffith, William Gallagher, Thomas William Mallams, River Springs Ranch, Pierre A. Kern Trust, ~~William V. Hill~~, Lillian M. Hill, Carolyn Obenchain, Lon Brooks, ~~William C. Knudtson~~, Wayne Jacobs, Margaret Jacobs,

**USFWS CLAIMS 317 AND 312 MAP
STIPULATION**

Lead Case No. 003

Consolidating Case Nos. 003, 118, 119, 120, 129, 137, 148, 149, and 150

Claim Nos. 142, 143, 144, 186, 194, 205, 211, 285, 286, ~~287~~⁴, ~~288~~⁵, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 312, 317, 321, 322, 323, and 324,

Contests 0005, 0006, 0007, 0008, 0033, 0039, 0040, 0047, 0281, 0516, 0986, 1221, 1455, 1804, 2044, 2048, 2049, 2050⁶, 2051, 2052, ~~2256~~, 2491, ~~2492~~, ~~2761~~, 2778, 2788, 2789, ~~2851~~⁷, ~~2854~~, ~~2856~~⁸, ~~2858~~, ~~2859~~, ~~2860~~, ~~2861~~, ~~2862~~, ~~2863~~, ~~2864~~, ~~2865~~, ~~2871~~, ~~2876~~, ~~2880~~, ~~2881~~, ~~2882~~, ~~2883~~⁹, 3136, 3137¹⁰,

¹ Jacob D. Wood, predecessor in interest to the Wood Family Trust, which is the predecessor in interest to Malcolm Beach Investments, filed a Notice of Withdrawal of Contests on January 15, 2000.

² Dwight T. Mebane and Helen Mebane filed a Change of Ownership on June 27, 2011, transferring their interests in Contests 3277, 3279, 3280, 3282-3326, 3370-3375 to Farm Credit West, PCA; and Farm Credit West, PCA filed a Change of Ownership on June 27, 2011, transferring its interests in Contests 3277, 3279, 3280, 3282-3326, 3370-3375 to PCA Acquired Properties, LLC; and PCA Acquired Properties, LLC filed a Change of Ownership, transferring its interests to Robinson Best, LLC, on June 27, 2011.

³ Sevenmile Creek Ranch, LLC, filed a Notice of Withdrawal of Contests on February 13, 2007, regarding Contests 3277, 3279, 3280, 3282-3326, and 3370-3375.

⁴ Claim 287 was voluntarily withdrawn by Oregon Department of Fish and Wildlife on September 26, 2003. *See* NOTICE OF WITHDRAWAL OF CLAIM.

⁵ Claim 288 was voluntarily withdrawn by David P. Henzel on July 1, 2003. *See* NOTICE OF WITHDRAWAL OF CLAIM.

⁶ Klamath Hills District Improvement Company voluntarily withdrew from Contests 2048, 2049, and 2050 on December 16, 2003. *See* WITHDRAWAL OF CLAIMS BY KLAMATH HILLS DISTRICT IMPROVEMENT COMPANY.

⁷ WaterWatch of Oregon, Inc. voluntarily withdrew from Contest 2851 on February 19, 2003. *See* WATERWATCH'S VOLUNTARY WITHDRAWAL OF CONTEST 2851.

⁸ By an Order dated May 20, 2003, WaterWatch of Oregon, Inc. was dismissed as a party contestant from all proceedings in the Klamath Basin Adjudication. *See* ORDER DISMISSING WATERWATCH OF OREGON, INC.'S CONTEST NOS 2820 ET AL.

⁹ Klamath Project Water Users' Renewed Motion to Strike Contest Nos. 2858, 2859-2865, 2871, 2876, and 2880-2883, and Dismiss WaterWatch as a Party was **GRANTED** on 4/03/03. *See* ORDER ON RENEWED MOTION TO STRIKE CONTESTS AND DISMISS WATERWATCH AS A PARTY AND MOTION TO RECONSIDER.

¹⁰ Langell Valley Irrigation District and Horsefly Irrigation District voluntarily withdrew from Contest 3137 on August 21, 2002. *See* VOLUNTARY WITHDRAWAL OF CONTEST BY LANGELL VALLEY IRRIGATION DISTRICT AND HORSEFLY IRRIGATION DISTRICT.

¹¹ Langell Valley Irrigation District and Horsefly Irrigation District voluntarily withdrew from Contest 3138 on March 21, 2003. *See* VOLUNTARY WITHDRAWAL OF CONTEST BY LANGELL VALLEY IRRIGATION DISTRICT AND HORSEFLY IRRIGATION DISTRICT.

¹² Medford Irrigation District and Rogue River Valley Irrigation District voluntarily withdrew from Contest 3176 on December 5, 2002. *See* VOLUNTARY WITHDRAWAL OF CONTEST BY MEDFORD AND ROGUE RIVER VALLEY IRRIGATION DISTRICTS.

¹³ Horsefly Irrigation District and Langell Valley Irrigation District voluntarily withdrew, without prejudice, from Contests 3184 and 3197 on February 25, 2003. *See* VOLUNTARY WITHDRAWAL OF CONTESTS 3197 AND 3215 BY HORSEFLY AND LANGELL VALLEY IRRIGATION DISTRICTS.

¹⁴ Medford Irrigation District and Rogue River Valley Irrigation District voluntarily withdrew, without prejudice, from Contest 3191 on May 1, 2003. *See* VOLUNTARY WITHDRAWAL OF CONTEST BY MEDFORD AND ROGUE RIVER VALLEY IRRIGATION DISTRICTS.

¹⁵ Horsefly Irrigation District and Langell Valley Irrigation District voluntarily withdrew, without prejudice, from Contest 3208 on February 25, 2003. *See* VOLUNTARY WITHDRAWAL OF CONTEST 3208 BY HORSEFLY AND LANGELL VALLEY IRRIGATION DISTRICTS.

¹⁶ Horsefly Irrigation District and Langell Valley Irrigation District voluntarily withdrew, without prejudice, from Contest 3214 on February 25, 2003. *See* VOLUNTARY WITHDRAWAL OF CONTEST 3214 BY HORSEFLY AND LANGELL VALLEY IRRIGATION DISTRICTS.

¹⁷ Medford Irrigation District and Rogue River Valley Irrigation District voluntarily withdrew, without prejudice, from Contests 3184, 3197, 3208, 3212, 3213, 3214, 3215, 3216, 3217, 3218, 3219, 3220, 3221, 3222, 3227, 3232, 3237, 3238, 3239, and 3240 on September 30, 2002. *See* VOLUNTARY WITHDRAWAL OF CONTEST BY MEDFORD AND ROGUE RIVER VALLEY IRRIGATION DISTRICTS.

¹⁸ Dave Wood voluntarily withdrew, without prejudice, from Contests 3282-3288 and 3301 (Claims 293-299 and 312) on October 26, 2004. *See* VOLUNTARY WITHDRAWAL OF CONTEST BY DAVE WOOD.

¹⁹ Dave Wood voluntarily withdrew, without prejudice, from Contests 3310-3313 (Claims 321-324) on October 26, 2004. *See* VOLUNTARY WITHDRAWAL OF CONTEST BY DAVE WOOD.

²⁰ Klamath Irrigation District; Klamath Drainage District; Tulelake Irrigation District; Klamath Basin Improvement District; Ady District Improvement Company; Enterprise Irrigation District; Malin Irrigation District; Midland District Improvement Co.; Pine Grove Irrigation District; Pioneer District Improvement Company; Poe Valley Improvement District; Shasta View Irrigation District; Sunnyside Irrigation District; Don Johnston & Son; Bradley S. Luscombe, Randy Walthall; Inter-County Title Company; Winema Hunting Lodge, Inc.; Van Brimmer Ditch Company; Plevna District Improvement Company; and Collins Products, LLC voluntarily withdrew from Contests 3408, 3417, 3424, 3428 and 3629 on April 7, 2004. *See* NOTICE OF WITHDRAWAL OF CONTEST NOS. 3408, 3417, 3424, 3428 AND 3629.

²¹ Klamath Hills District Improvement Company voluntarily withdrew, without prejudice, from Contests 2048, 2050, 2051, 3400, 3407, 3408, 3417, 3424, 3425, 3426, 3427, 3428, 3429, 3624, 3625, 3626, 3627, 3628, 3629, and 3630 on January 16, 2004. *See* VOLUNTARY WITHDRAWAL OF CONTEST BY KLAMATH HILLS DISTRICT IMPROVEMENT COMPANY.

²² Don Vincent voluntarily withdrew from Contests 2048, 2049, 2050, 2051, 3400, 3407, 3408, 3417, 3424, 3425, 3426, 3427, 3428, 3429, 3624, 3625, 3626, 3627, 3628, 3629, 3630, 3635, and 3640 on November 28, 2000. *See* NOTICE OF WITHDRAWAL OF CLAIMANTS. Berlva Pritchard voluntarily withdrew from Contests 3400, 3407, 3408, 3412, 3417, 3424, 3425, 3426, 3427, 3428, 3429, 3624, 3625, 3626, 3627, 3628, 3629, 3630, 3635, and 3640 on June 24, 2002. *See* NOTICE OF WITHDRAWAL OF CLAIMANT.

²³ The Klamath Tribes withdrew from Contests 4218, 4219, 4220, 4221, 4222, 4223, 4224, 4225, and 4230 on December 3, 2002. *See* CONTEST DISMISSAL AGREEMENT AND STIPULATION BETWEEN KLAMATH PROJECT WATER USERS, THE KLAMATH TRIBES, AND THE UNITED STATES; [Proposed] Order of the Hearing Officer in Case 003.

²⁴ Contest Nos. 3282, 3283, 3284, 3285, 3286, 3287, 3288, 3301, 3306 3310, 3311, 3312, 3313 held by William J. and Ethel Rust are transferred to David M. Cowan. *See* CHANGE OF OWNERSHIP form dated February 11, 2005.

²⁵ Contest Nos. 3282 to 3288, 3301, 3306, 3310-3313 held by Roger Nicholson Cattle Company are transferred to Agri Water, LLC. *See* CHANGE OF OWNERSHIP form dated February 2, 2005. Contest Nos. 3282 to 3288, 3301, 3306, 3310-3313 held by Lloyd Nicholson Trust are transferred to Roger Nicholson and Richard Nicholson. *See* CHANGE OF

~~Robert Bartell, Rodney Z. James, Hilda Francis for Francis Loving Trust, William J. Rust, Ethel J. Rust, David M. Cowan, James R. Goold for Tillie Goold Trust, Duane F. Martin, Peter M. Bourdet, Vincent Briggs, J.T. Ranch Co., Tom Bentley, Thomas Stephens, John Briggs, Wm. Bryant, Klamath Irrigation District, Klamath Drainage District, Tulelake Irrigation District, Klamath Basin Improvement District, Ady District Improvement Company, Enterprise Irrigation District, Klamath Hills District Improvement Co., Malin Irrigation District, Midland District Improvement District, Pine Grove Irrigation District, Pioneer District Improvement Company, Poe Valley Improvement District, Shasta View Irrigation District, Sunnyside Irrigation District, Don Johnston & Son, Thomas J. Shaw/Modoc Lumber Co., Bradley S. Luscombe, Randy Walthal and Inter-County Title Co., Winema Hunting Lodge, Inc., Van Brimmer Ditch Co., Plevna District Improvement Company, Travis Huntly/Collins Products, LLC, The Klamath Tribes, Leland Woods Trust, Gary Griffith, Marjorie Divine, Victor Divine, David Griffith, Nora Griffith, John V. Lilly, Edna B. Lilly, Earl Martin Kerns, Shirley F. Kerns, Phyllis Vincent, Don Buffington, Ralph Sterns, Rich Flink/Reames Golf and Country Club, Inc.; Leonard Baio; Gary Strong,~~

Contestants,

v.

Marta C. Carpenter; Flowers Bros. Inc.; Robert Flowers;
Klamath Sprig and Honker Club, Inc.; Martin Scull; Karen
Tucker; Sandral Tucker,
Claimants,

And

United States Bureau of Reclamation; Geary Bros. Caledonia
Ranch, a Co-Tenancy; Jeld-Wen, Inc. (Running Y Ranch),

Claimants/ Contestants.

This Stipulation is entered into by and among the Oregon Water Resources Department (OWRD), Claimants the United States of America on behalf of the United States Fish and Wildlife Service (the Service or USFWS), and the United States Bureau of Reclamation (Reclamation), sometimes referred to herein collectively as the “signatories,” on the dates set forth next to each signatory’s signature line below.

OWNERSHIP form dated February 2, 2005. Contest Nos. 3282 to 3288, 3301, 3306, 3310-3313 held by Dorothy Nicholson Trust are transferred to Roger Nicholson and Richard Nicholson. *See* CHANGE OF OWNERSHIP form dated February 2, 2005.

Whereas, the November 14, 2006, Proposed Order of the Administrative Law Judge, Office of Administrative Hearings (OAH), In the Matter of the Adjudication of the Klamath River and its Tributaries, Klamath County, Oregon (Adjudication) Case 003, described the Places of Use for Claim 317 for the Tule Lake National Wildlife Refuge (Tule Lake NWR) and Claim 312 for the Lower Klamath National Wildlife Refuge (Lower Klamath NWR) as the lands identified in Attachment 2, Revised Table 4A and Revised Table 4B, respectively, attached to said Proposed Order.

Whereas, OWRD has requested the Service to provide OWRD maps that identify the lands in Revised Tables 4A and 4B that are used to grow agricultural crops (referred to herein as “Irrigated Refuge Lands, Farmed”) and the lands that are used to grow plants other than agricultural crops (referred to herein as “Irrigated Refuge Lands, Non-Farmed”).

Now, therefore, OWRD, the Service, and Reclamation hereby stipulate and agree as follows:

1. The Service has determined that the Irrigated Refuge Lands, Farmed; and Irrigated Refuge Lands, Non-Farmed can be identified based on two sets of maps: (a) the following OWRD Investigation Maps in the record (OWRD Maps), that show some, but not all, of the Irrigated Refuge Lands, Farmed; and (b) the following maps prepared by the Service (USFWS 2013 Maps), based on the USFWS claim maps in the record, which USFWS 2013 Maps identify and distinguish between Irrigated Refuge Lands, Farmed, and Irrigated Refuge Lands, Non-Farmed:

a. OWRD Maps:

(1) Claim 317, Tule Lake NWR:

OWRD INVESTIGATION MAPS – T 46 N, R 4 E; T 46 N, R 5 E; T 47 N, R 4 E, T 47 N, R 5 E .

(2) Claim 312, Lower Klamath NWR:

OWRD INVESTIGATION MAPS – T 41 S, R 8 E; T 41 S, R 9 E; T 41 S, R 10 E.

b. USFWS 2013 Maps:

(1) Tule Lake NWR:

2013 USFWS MAP DENOTING IRRIGATED LANDS, T 47 N, R 4 E

2013 USFWS MAP UPDATED SUPPLEMENTAL MAP FOR CLAIM 317 DENOTING IRRIGATED LANDS, Sec 4 & 5, T 46 N, R 5 E;

2013 USFWS MAP UPDATED SUPPLEMENTAL MAP FOR CLAIM 317 DENOTING IRRIGATED LANDS, Sec 10 & 15, T 46 N, R 4 E;

2013 USFWS MAP UPDATED SUPPLEMENTAL MAP FOR CLAIM 317 DENOTING IRRIGATED LANDS, Sec 5 & 6, T 47 N, R 4 E;

2013 USFWS MAP UPDATED SUPPLEMENTAL MAP FOR CLAIM 317 DENOTING IRRIGATED LANDS, Sec 14 & 23 T 47 N, R 4 E.

(2) Lower Klamath NWR:

2013 USFWS CLAIM 312 MAP DENOTING IRRIGATED LANDS, T 47 N, R 2 E;

2013 USFWS CLAIM 312 MAP DENOTING IRRIGATED LANDS, T 47 N, R 3 E;

2013 USFWS CLAIM 312 MAP DENOTING IRRIGATED LANDS, T 48 N, R 1 E;

2013 USFWS CLAIM 312 MAP DENOTING IRRIGATED LANDS, T 48 N, R
2 E;

2013 USFWS CLAIM 312 MAP DENOTING IRRIGATED LANDS, T 48 N, R
3 E.

2. The OWRD Maps and the USFWS 2013 Maps are not intended to provide legal dimensions or locations of property lines.

3. The Service agrees that the irrigated Refuge lands (described by quarter-quarter section in Revised Tables 4A and 4B to the Proposed Order) that appear on the OWRD Maps comprise a portion of Irrigated Refuge Lands, Farmed.

4. The Service has prepared the USFWS 2013 Maps to depict the remainder of the Irrigated Refuge Lands, Farmed and the Irrigated Refuge Lands, Non-Farmed, that are not shown on the OWRD Maps.

5. The Service agrees that the lands designated as “Irrigated Refuge Lands, Farmed” on the USFWS 2013 Maps are lands that are subject to use for the growth of agricultural (farm) crops, and that the lands designated as “Irrigated Refuge Lands, Non-Farmed” on the USFWS 2013 Maps are lands that are subject to use for the growth of non-agricultural crops.

6. The signatories agree that the designation of lands on the USFWS 2013 Maps as Irrigated Refuge Lands, Non-Farmed represents the Service’s characterization of these lands only, and that nothing in this Stipulation or OWRD’s use of the USFWS 2013 Maps for any purpose shall be deemed to waive any rights that the Service or Reclamation may have to file exceptions in the Circuit Court to the OWRD Adjudicator’s findings of fact and order of determination for the Adjudication (Final Order) and to make factual or legal arguments in any future proceeding concerning the uses or legal effect of the uses occurring on the lands

designated as Irrigated Refuge Lands, Non-Farmed. The Service and Reclamation specifically reserve their right to file exceptions in the Circuit Court for any exclusion of the Irrigated Refuge Lands, Non-Farmed from the place of use for which water rights are recognized in the Adjudicator's Final Order.

7. Based on the OWRD Maps and the USFWS 2013 Maps, OWRD has prepared further revised versions of Revised Tables 4A and 4B, attached hereto as Attachment A (Claim 317 Modified Place of Use) and Attachment B (Claim 312 Modified Place of Use), which have excluded the Irrigated Refuge Lands, Non-Farmed, and which are collectively referred to herein as the Claim 317 and Claim 312 Modified Places of Use.

8. The Service and Reclamation agree that OWRD may use the Claim 317 and Claim 312 Modified Places of Use, the OWRD Maps, and the USFWS 2013 Maps (to depict Irrigated Refuge Lands, Farmed) in the Adjudicator's Final Order to show the place of use approved by the Adjudicator and as maps and place of use of record for Claims 317 and 312 in Case 003. The Service and Reclamation also agree that OWRD may make use of the Claim 317 and Claim 312 Modified Places of Use, the OWRD Maps, and the USFWS 2013 Maps in the Final Order without further proceedings before the OAH or the issuance of an amended proposed order in Case 003.

9. Notwithstanding the agreement stated in paragraph 8, above, concerning OWRD's use of the USFWS 2013 Map and the Modified Places of Use in the Final Order, the signatories agree that nothing in this Stipulation, or the Modified Places of Use or the use thereof in the Final Order, affects the rights of the Service and Reclamation, or any other party to Adjudication Case 003, to address any issue or file any exception to the Final Order in any future proceeding (other than the use by OWRD of the USFWS 2013 Maps and the Modified Place of

Use in the Final Order), including, for example, the scope and extent of the Places of Use for Claims 317 and 312.

10. The signatories acknowledge and agree that that the places of use for Claim 317 and Claim 312 may be affected by future proceedings in the Adjudication, and that new maps may be required in order to accurately reflect the final decree entered in the Adjudication. The Service and Reclamation agree to use best efforts to provide to OWRD any new maps pertaining to the place of use for Tule Lake NWR or Lower Klamath NWR that may be required by the final decree entered in the Adjudication.

11. OWRD staff hereby recommends the terms of this Stipulation to the Adjudicator for incorporation into the Adjudicator's Findings of Fact and Order of Determination. This Stipulation does not represent a final order by OWRD.

12. This Stipulation shall be binding on and shall inure to the benefit of the signatories and their respective employees, representatives, agents, successors, and assigns.

13. Each signatory to this Stipulation represents, warrants and agrees that the person who executed this Stipulation on its behalf has the full right and authority to enter into this Stipulation on behalf of that signatory and bind that signatory to the terms of the Stipulation.

14. This Stipulation may be executed in several counterparts. All documents so executed shall constitute one Stipulation, notwithstanding that the signatories did not sign the same original or the same counterparts. Delivery of an executed signature page to this Stipulation by electronic transmission shall be effective as delivery of an original signed counterpart of this Stipulation.

//

//

The signatories have executed this Stipulation on the date following their respective signatures.

UNITED STATES OF AMERICA ON BEHALF OF
UNITED STATES FISH AND WILDLIFE SERVICE

Bruce D. Bernard DATED: 2/8/13
Bruce D. Bernard

Barbara Scott-Brier DATED: _____

UNITED STATES BUREAU OF RECLAMATION

Stephen R. Palmer DATED: _____

OREGON WATER RESOURCES DEPARTMENT

Jesse D. Ratcliffe DATED: _____

The signatories have executed this Stipulation on the date following their respective signatures.

UNITED STATES OF AMERICA ON BEHALF OF
UNITED STATES FISH AND WILDLIFE SERVICE

Bruce D. Bernard DATED: _____

Barbara Scott-Brier
Barbara Scott-Brier DATED: 02/12/13

UNITED STATES BUREAU OF RECLAMATION

Stephen R. Palmer DATED: _____

OREGON WATER RESOURCES DEPARTMENT

Jesse D. Ratcliffe DATED: _____

The signatories have executed this Stipulation on the date following their respective signatures.

UNITED STATES OF AMERICA ON BEHALF OF
UNITED STATES FISH AND WILDLIFE SERVICE

Bruce D. Bernard DATED: _____

Barbara Scott-Brier DATED: _____

UNITED STATES BUREAU OF RECLAMATION



Stephen R. Palmer DATED: 02/13/13

OREGON WATER RESOURCES DEPARTMENT

Jesse D. Ratcliffe DATED: _____

The signatories have executed this Stipulation on the date following their respective signatures.

UNITED STATES OF AMERICA ON BEHALF OF
UNITED STATES FISH AND WILDLIFE SERVICE

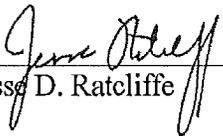
Bruce D. Bernard DATED: _____

Barbara Scott-Brier DATED: _____

UNITED STATES BUREAU OF RECLAMATION

Stephen R. Palmer DATED: _____

OREGON WATER RESOURCES DEPARTMENT


Jesse D. Ratcliffe DATED: 2/13/13

	A	B	C	D	E	F	G
1	Attachment A - Claim 317 Modified Place of Use (Tule Lake NWR)						
2	Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
3	46 N	4 E	MDM	1	NE NE	1	10
4	46 N	4 E	MDM	1	NE NE	8	38
5	46 N	4 E	MDM	1	NW NE	2	10.2
6	46 N	4 E	MDM	1	NW NE	7	36.2
7	46 N	4 E	MDM	1	SW NE		31.5
8	46 N	4 E	MDM	1	SE NE		37.8
9	46 N	4 E	MDM	1	NE NW	3	10.1
10	46 N	4 E	MDM	1	NE NW	6	39.5
11	46 N	4 E	MDM	1	NW NW	4	10
12	46 N	4 E	MDM	1	NW NW	5	37.8
13	46 N	4 E	MDM	1	SW NW		34.2
14	46 N	4 E	MDM	1	SE NW		36.1
15	46 N	4 E	MDM	2	NE NE	1	10
16	46 N	4 E	MDM	2	NE NE	8	34.2
17	46 N	4 E	MDM	2	NW NE	2	9.9
18	46 N	4 E	MDM	2	NW NE	7	39
19	46 N	4 E	MDM	2	SW NE		37.1
20	46 N	4 E	MDM	2	SE NE		32.4
21	46 N	4 E	MDM	2	NE NW	3	9.9
22	46 N	4 E	MDM	2	NE NW	6	40
23	46 N	4 E	MDM	2	NW NW	4	9.5
24	46 N	4 E	MDM	2	NW NW	5	37.8
25	46 N	4 E	MDM	2	SW NW		34.2
26	46 N	4 E	MDM	2	SE NW		37
27	46 N	4 E	MDM	2	NW SW		2.3
28	46 N	4 E	MDM	2	SW SW		22
29	46 N	4 E	MDM	3	NE NE	1	4.2
30	46 N	4 E	MDM	3	NE NE	8	14
31	46 N	4 E	MDM	3	NW NE	2	10
32	46 N	4 E	MDM	3	NW NE	7	38
33	46 N	4 E	MDM	3	SW NE		38
34	46 N	4 E	MDM	3	SE NE		14
35	46 N	4 E	MDM	3	NE NW	3	9.9
36	46 N	4 E	MDM	3	NE NW	6	36
37	46 N	4 E	MDM	3	NW NW	4	9.8
38	46 N	4 E	MDM	3	NW NW	5	38
39	46 N	4 E	MDM	3	SW NW		38
40	46 N	4 E	MDM	3	SE NW		36
41	46 N	4 E	MDM	3	NE SW		36

	A	B	C	D	E	F	G
1	Attachment A - Claim 317 Modified Place of Use (Tule Lake NWR)						
2	Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
42	46 N	4 E	MDM	3	NW SW		38
43	46 N	4 E	MDM	3	SW SW		34.6
44	46 N	4 E	MDM	3	SE SW		37
45	46 N	4 E	MDM	3	NE SE		23.3
46	46 N	4 E	MDM	3	NW SE		38
47	46 N	4 E	MDM	3	SW SE		36.1
48	46 N	4 E	MDM	3	SE SE		38.3
49	46 N	4 E	MDM	4	NE NE	1	9.9
50	46 N	4 E	MDM	4	NE NE	8	40
51	46 N	4 E	MDM	4	NW NE	2	9.8
52	46 N	4 E	MDM	4	NW NE	7	39.7
53	46 N	4 E	MDM	4	SW NE		39.4
54	46 N	4 E	MDM	4	SE NE		40
55	46 N	4 E	MDM	4	NE NW	3	9.8
56	46 N	4 E	MDM	4	NE NW	6	40
57	46 N	4 E	MDM	4	NW NW	4	9.8
58	46 N	4 E	MDM	4	NW NW	5	40
59	46 N	4 E	MDM	4	SW NW		38
60	46 N	4 E	MDM	4	SE NW		40
61	46 N	4 E	MDM	4	NE SW		40
62	46 N	4 E	MDM	4	NW SW		40
63	46 N	4 E	MDM	4	SW SW		36.1
64	46 N	4 E	MDM	4	SE SW		36
65	46 N	4 E	MDM	4	NE SE		40
66	46 N	4 E	MDM	4	NW SE		39
67	46 N	4 E	MDM	4	SW SE		36
68	46 N	4 E	MDM	4	SE SE		40
69	46 N	4 E	MDM	5	NE NE	1	9.9
70	46 N	4 E	MDM	5	NE NE	8	40
71	46 N	4 E	MDM	5	NW NE	2	9.9
72	46 N	4 E	MDM	5	NW NE	7	40
73	46 N	4 E	MDM	5	SW NE		38.2
74	46 N	4 E	MDM	5	SE NE		38
75	46 N	4 E	MDM	5	NE NW	3	10
76	46 N	4 E	MDM	5	NE NW	6	40
77	46 N	4 E	MDM	5	NW NW	4	10
78	46 N	4 E	MDM	5	NW NW	5	39.6
79	46 N	4 E	MDM	5	SW NW		39.6
80	46 N	4 E	MDM	5	SE NW		40

	A	B	C	D	E	F	G
1	Attachment A - Claim 317 Modified Place of Use (Tule Lake NWR)						
2	Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
81	46 N	4 E	MDM	5	NE SW		37.9
82	46 N	4 E	MDM	5	NW SW		37
83	46 N	4 E	MDM	5	SW SW		38.9
84	46 N	4 E	MDM	5	SE SW		39.9
85	46 N	4 E	MDM	5	NE SE		40
86	46 N	4 E	MDM	5	NW SE		40
87	46 N	4 E	MDM	5	SW SE		36
88	46 N	4 E	MDM	5	SE SE		36.4
89	46 N	4 E	MDM	6	NE NE	1	7.2
90	46 N	4 E	MDM	6	NE NE	6	35.8
91	46 N	4 E	MDM	6	SW NE		2.1
92	46 N	4 E	MDM	6	SE NE		38
93	46 N	4 E	MDM	6	NE SE		40
94	46 N	4 E	MDM	6	NW SE		10.4
95	46 N	4 E	MDM	6	SW SE		5.1
96	46 N	4 E	MDM	6	SE SE		39
97	46 N	4 E	MDM	7	NE NE	1	37
98	46 N	4 E	MDM	7	NW NE	2	8.7
99	46 N	4 E	MDM	7	SW NE		1.1
100	46 N	4 E	MDM	7	SE NE		37
101	46 N	4 E	MDM	7	NE SE		27.2
102	46 N	4 E	MDM	7	SE SE		21.8
103	46 N	4 E	MDM	8	NE NE	1	34.5
104	46 N	4 E	MDM	8	NW NE	2	40
105	46 N	4 E	MDM	8	SW NE		38.4
106	46 N	4 E	MDM	8	SE NE		34.3
107	46 N	4 E	MDM	8	NE NW	3	40
108	46 N	4 E	MDM	8	NW NW	4	40
109	46 N	4 E	MDM	8	SW NW		38.4
110	46 N	4 E	MDM	8	SE NW		38.4
111	46 N	4 E	MDM	8	NE SW		40
112	46 N	4 E	MDM	8	NW SW		40
113	46 N	4 E	MDM	8	SW SW		38.3
114	46 N	4 E	MDM	8	SE SW		38
115	46 N	4 E	MDM	8	NE SE		35.3
116	46 N	4 E	MDM	8	NW SE		38.5
117	46 N	4 E	MDM	8	SW SE		34.7
118	46 N	4 E	MDM	8	SE SE		32.2
119	46 N	4 E	MDM	9	NE NE	2	34.8

	A	B	C	D	E	F	G
1	Attachment A - Claim 317 Modified Place of Use (Tule Lake NWR)						
2	Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
120	46 N	4 E	MDM	9	NW NE	3	37
121	46 N	4 E	MDM	9	SW NE		40
122	46 N	4 E	MDM	9	SE NE		38.3
123	46 N	4 E	MDM	9	NE NW	4	37
124	46 N	4 E	MDM	9	NW NW	5	36.9
125	46 N	4 E	MDM	9	SW NW		38
126	46 N	4 E	MDM	9	SE NW		38.2
127	46 N	4 E	MDM	9	NE SW		39.4
128	46 N	4 E	MDM	9	NW SW		40
129	46 N	4 E	MDM	9	SW SW		37
130	46 N	4 E	MDM	9	SE SW		38
131	46 N	4 E	MDM	9	NE SE		26
132	46 N	4 E	MDM	9	NW SE		37.8
133	46 N	4 E	MDM	9	SW SE	7	30.1
134	46 N	4 E	MDM	9	SE SE	6	1.5
135	46 N	4 E	MDM	10	NE NE	2	37
136	46 N	4 E	MDM	10	NW NE	3	33.6
137	46 N	4 E	MDM	10	SW NE		35.9
138	46 N	4 E	MDM	10	SE NE		40
139	46 N	4 E	MDM	10	NE NW	4	37
140	46 N	4 E	MDM	10	NW NW	5	34.4
141	46 N	4 E	MDM	10	SW NW		37
142	46 N	4 E	MDM	10	SE NW		40
143	46 N	4 E	MDM	10	NE SW		40
144	46 N	4 E	MDM	10	NW SW		24.2
145	46 N	4 E	MDM	10	SE SW		30.9
146	46 N	4 E	MDM	10	NE SE		40
147	46 N	4 E	MDM	10	NW SE		37.6
148	46 N	4 E	MDM	10	SW SE		33.8
149	46 N	4 E	MDM	10	SE SE		35.2
150	46 N	4 E	MDM	11	NW NW	7	11.7
151	46 N	4 E	MDM	11	SW NW		11.8
152	46 N	4 E	MDM	11	NW SW		11.8
153	46 N	4 E	MDM	11	SW SW	8	8.9
154	46 N	4 E	MDM	14	NW NW	18	0.8
155	46 N	4 E	MDM	15	NE NE	9	24.6
156	46 N	4 E	MDM	15	NW NE		40
157	46 N	4 E	MDM	15	SW NE		38
158	46 N	4 E	MDM	15	SE NE	20	6.5

	A	B	C	D	E	F	G
1	Attachment A - Claim 317 Modified Place of Use (Tule Lake NWR)						
2	Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
159	46 N	4 E	MDM	15	NE NW		33.5
160	46 N	4 E	MDM	15	NW NW	10	15.7
161	46 N	4 E	MDM	15	SW NW	18	0.2
162	46 N	4 E	MDM	15	SW NW	17	26
163	46 N	4 E	MDM	15	SE NW	19	28.1
164	46 N	4 E	MDM	15	NE SW	24	2.8
165	46 N	4 E	MDM	15	NW SE	23	10.3
166	46 N	4 E	MDM	16	NW NE	7	17.6
167	46 N	4 E	MDM	16	SW NE	12	0.8
168	46 N	4 E	MDM	16	NE NW	8	35.7
169	46 N	4 E	MDM	16	NW NW	9	37.2
170	46 N	4 E	MDM	16	SW NW	10	38.7
171	46 N	4 E	MDM	16	SE NW	11	36.3
172	46 N	4 E	MDM	16	NE SW	25	35.2
173	46 N	4 E	MDM	16	NW SW	15	38.6
174	46 N	4 E	MDM	16	SW SW	16	31.6
175	46 N	4 E	MDM	16	SE SW	26	13.3
176	46 N	4 E	MDM	17	NE NE	1	36.8
177	46 N	4 E	MDM	17	NW NE		38.2
178	46 N	4 E	MDM	17	SW NE		35.3
179	46 N	4 E	MDM	17	SE NE	2	33.5
180	46 N	4 E	MDM	17	NE NW		40
181	46 N	4 E	MDM	17	NW NW		38.7
182	46 N	4 E	MDM	17	SW NW	5	14.2
183	46 N	4 E	MDM	17	SE NW	7	42.9
184	46 N	4 E	MDM	17	NE SE	3	37.3
185	46 N	4 E	MDM	17	NW SE	8	28.6
186	46 N	4 E	MDM	17	SW SE	13	11.7
187	46 N	4 E	MDM	17	SE SE	4	35.3
188	46 N	4 E	MDM	18	NE NE		17.4
189	46 N	4 E	MDM	18	SE NE	5	2.7
190	46 N	4 E	MDM	20	NE NE	5	27.1
191	46 N	4 E	MDM	20	NW NE	6	7.2
192	46 N	4 E	MDM	21	NE NW	6	0.9
193	46 N	4 E	MDM	21	NW NW	7	34
194	46 N	4 E	MDM	21	SW NW	8	1.5
195	46 N	5 E	MDM	4	NW SW	19	67
196	46 N	5 E	MDM	4	SE SW	20	19.8
197	46 N	5 E	MDM	4	NW NW	12	13

	A	B	C	D	E	F	G
1	Attachment A - Claim 317 Modified Place of Use (Tule Lake NWR)						
2	Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
198	46 N	5 E	MDM	4	SW NW		27
199	46 N	5 E	MDM	4	NW SW	18	1.3
200	46 N	5 E	MDM	5	NE NE	1	10.1
201	46 N	5 E	MDM	5	NE NE	8	36.2
202	46 N	5 E	MDM	5	NW NE	2	9.7
203	46 N	5 E	MDM	5	NW NE	7	40
204	46 N	5 E	MDM	5	SW NE		32.4
205	46 N	5 E	MDM	5	SE NE	9	31.4
206	46 N	5 E	MDM	5	NE NW	3	11
207	46 N	5 E	MDM	5	NE NW	6	37
208	46 N	5 E	MDM	5	NW NW	4	8.2
209	46 N	5 E	MDM	5	NW NW	5	38.1
210	46 N	5 E	MDM	5	SW NW		35.9
211	46 N	5 E	MDM	5	SE NW		30.1
212	46 N	5 E	MDM	5	NE SW		18.6
213	46 N	5 E	MDM	5	SE SW		9.2
214	46 N	5 E	MDM	5	NE SE	10	32
215	46 N	5 E	MDM	5	NW SE		34
216	46 N	5 E	MDM	5	SW SE		26.1
217	46 N	5 E	MDM	5	SE SE	11	23.6
218	46 N	5 E	MDM	6	SW NW	9	35.9
219	46 N	5 E	MDM	6	NE NE	1	9.8
220	46 N	5 E	MDM	6	NE NE	8	40
221	46 N	5 E	MDM	6	NW NE	2	9.5
222	46 N	5 E	MDM	6	NW NE	7	37.4
223	46 N	5 E	MDM	6	SW NE		32.3
224	46 N	5 E	MDM	6	SE NE		34
225	46 N	5 E	MDM	6	NE NW	3	10.7
226	46 N	5 E	MDM	6	NE NW	6	40
227	46 N	5 E	MDM	6	NW NW	4	10.3
228	46 N	5 E	MDM	6	NW NW	5	41
229	46 N	5 E	MDM	6	SE NW		34.8
230	46 N	5 E	MDM	16	SW NE		9.1
231	46 N	5 E	MDM	16	SW NW	10	12
232	46 N	5 E	MDM	16	SW NW		30
233	46 N	5 E	MDM	16	SE NW		30.8
234	46 N	5 E	MDM	16	NE SW		12
235	46 N	5 E	MDM	16	NE SE		12.1
236	46 N	5 E	MDM	16	NW SE	6	2.4

	A	B	C	D	E	F	G
1	Attachment A - Claim 317 Modified Place of Use (Tule Lake NWR)						
2	Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
237	46 N	5 E	MDM	16	NW SE	8	3.7
238	46 N	5 E	MDM	17	SW NE		34
239	46 N	5 E	MDM	17	SW NW	7	20.4
240	46 N	5 E	MDM	17	SE NW		30.2
241	46 N	5 E	MDM	17	NE SE	8	32.4
242	47 N	4 E	MDM	2	SW SW	7	2.2
243	47 N	4 E	MDM	5	SW NW		35
244	47 N	4 E	MDM	5	SE NW		28.1
245	47 N	4 E	MDM	6	SW NE		33
246	47 N	4 E	MDM	6	SE NE		35
247	47 N	4 E	MDM	6	SE NW	4	3.8
248	47 N	4 E	MDM	6	SE SW	8	1.7
249	47 N	4 E	MDM	7	NE NW	5	11.3
250	47 N	4 E	MDM	7	SE NW	6	10
251	47 N	4 E	MDM	7	NE SW	7	2.5
252	47 N	4 E	MDM	7	SE SW	4	13.8
253	47 N	4 E	MDM	11	NE NE	1	2.9
254	47 N	4 E	MDM	11	NW NE	5	16.6
255	47 N	4 E	MDM	11	SW NE		40
256	47 N	4 E	MDM	11	SE NE		35.6
257	47 N	4 E	MDM	11	NE NW	4	29
258	47 N	4 E	MDM	11	NW NW		33.5
259	47 N	4 E	MDM	11	SW NW		34
260	47 N	4 E	MDM	11	SE NW		40
261	47 N	4 E	MDM	11	NE SW		40
262	47 N	4 E	MDM	11	NW SW		34
263	47 N	4 E	MDM	11	SW SW		34
264	47 N	4 E	MDM	11	SE SW		40
265	47 N	4 E	MDM	11	NE SE		36.6
266	47 N	4 E	MDM	11	NW SE		40
267	47 N	4 E	MDM	11	SW SE		40
268	47 N	4 E	MDM	11	SE SE		36.6
269	47 N	4 E	MDM	12	SW NE	7	2
270	47 N	4 E	MDM	12	SW NW	2	32.8
271	47 N	4 E	MDM	12	SE NW	3	13.3
272	47 N	4 E	MDM	12	NE SW		40
273	47 N	4 E	MDM	12	NW SW		40
274	47 N	4 E	MDM	12	SW SW		40
275	47 N	4 E	MDM	12	SE SW		40

	A	B	C	D	E	F	G
1	Attachment A - Claim 317 Modified Place of Use (Tule Lake NWR)						
2	Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
276	47 N	4 E	MDM	12	NE SE	9	16.7
277	47 N	4 E	MDM	12	NW SE		36.6
278	47 N	4 E	MDM	12	SW SE		40
279	47 N	4 E	MDM	12	SE SE		36.9
280	47 N	4 E	MDM	13	NE NE		36.4
281	47 N	4 E	MDM	13	NW NE		40
282	47 N	4 E	MDM	13	SW NE		40
283	47 N	4 E	MDM	13	SE NE		36.4
284	47 N	4 E	MDM	13	NE NW		37
285	47 N	4 E	MDM	13	NW NW		40
286	47 N	4 E	MDM	13	SW NW		40
287	47 N	4 E	MDM	13	SE NW		37.7
288	47 N	4 E	MDM	13	NE SW		38
289	47 N	4 E	MDM	13	NW SW		40
290	47 N	4 E	MDM	13	SW SW		40
291	47 N	4 E	MDM	13	SE SW		34.8
292	47 N	4 E	MDM	13	NE SE		36.4
293	47 N	4 E	MDM	13	NW SE		40
294	47 N	4 E	MDM	13	SW SE		40
295	47 N	4 E	MDM	13	SE SE		36.4
296	47 N	4 E	MDM	14	NE SW		36.7
297	47 N	4 E	MDM	14	NW SW		31.2
298	47 N	4 E	MDM	14	SW SW		32.3
299	47 N	4 E	MDM	14	SE SW		37.8
300	47 N	4 E	MDM	14	NE NE		36.6
301	47 N	4 E	MDM	14	NW NE		40
302	47 N	4 E	MDM	14	SW NE		39.5
303	47 N	4 E	MDM	14	SE NE		36.6
304	47 N	4 E	MDM	14	NE NW		39.5
305	47 N	4 E	MDM	14	NW NW		34
306	47 N	4 E	MDM	14	SW NW		34
307	47 N	4 E	MDM	14	SE NW		39.5
308	47 N	4 E	MDM	14	NE SE		36.6
309	47 N	4 E	MDM	14	NW SE		40
310	47 N	4 E	MDM	14	SW SE		40
311	47 N	4 E	MDM	14	SE SE		36.6
312	47 N	4 E	MDM	23	NE NE		36.6
313	47 N	4 E	MDM	23	NW NE		40
314	47 N	4 E	MDM	23	SW NE		36

	A	B	C	D	E	F	G
1	Attachment A - Claim 317 Modified Place of Use (Tule Lake NWR)						
2	Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
315	47 N	4 E	MDM	23	SE NE		33
316	47 N	4 E	MDM	23	NE NW		40
317	47 N	4 E	MDM	23	NW NW		34
318	47 N	4 E	MDM	23	SW NW		30
319	47 N	4 E	MDM	23	SE NW		36
320	47 N	4 E	MDM	23	NE SW		36.2
321	47 N	4 E	MDM	23	NW SW		31.4
322	47 N	4 E	MDM	23	SW SW		34.7
323	47 N	4 E	MDM	23	SE SW		38
324	47 N	4 E	MDM	23	NE SE		32.4
325	47 N	4 E	MDM	23	NW SE		36
326	47 N	4 E	MDM	23	SW SE		40
327	47 N	4 E	MDM	23	SE SE		36
328	47 N	4 E	MDM	24	NE NE		35.8
329	47 N	4 E	MDM	24	NW NE		40
330	47 N	4 E	MDM	24	SW NE		36
331	47 N	4 E	MDM	24	SE NE		31.5
332	47 N	4 E	MDM	24	NE NW		38
333	47 N	4 E	MDM	24	NW NW		40
334	47 N	4 E	MDM	24	SW NW		36
335	47 N	4 E	MDM	24	SE NW		34.8
336	47 N	4 E	MDM	24	NE SW		32
337	47 N	4 E	MDM	24	NW SW		36
338	47 N	4 E	MDM	24	SW SW		40
339	47 N	4 E	MDM	24	SE SW		38.1
340	47 N	4 E	MDM	24	NE SE		30.4
341	47 N	4 E	MDM	24	NW SE		34.5
342	47 N	4 E	MDM	24	SW SE		40
343	47 N	4 E	MDM	24	SE SE		35.7
344	47 N	4 E	MDM	25	NE NE		36
345	47 N	4 E	MDM	25	NW NE		40
346	47 N	4 E	MDM	25	SW NE		40
347	47 N	4 E	MDM	25	SE NE		36
348	47 N	4 E	MDM	25	NE NW		37.8
349	47 N	4 E	MDM	25	NW NW		40
350	47 N	4 E	MDM	25	SW NW		40
351	47 N	4 E	MDM	25	SE NW		38.2
352	47 N	4 E	MDM	25	NE SW		38.2
353	47 N	4 E	MDM	25	NW SW		40

	A	B	C	D	E	F	G
1	Attachment A - Claim 317 Modified Place of Use (Tule Lake NWR)						
2	Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
354	47 N	4 E	MDM	25	SW SW		40
355	47 N	4 E	MDM	25	SE SW		37.8
356	47 N	4 E	MDM	25	NE SE		36
357	47 N	4 E	MDM	25	NW SE		40
358	47 N	4 E	MDM	25	SW SE		40
359	47 N	4 E	MDM	25	SE SE		36
360	47 N	4 E	MDM	26	NE NE		36
361	47 N	4 E	MDM	26	NW NE		40
362	47 N	4 E	MDM	26	SW NE		40
363	47 N	4 E	MDM	26	SE NE		36
364	47 N	4 E	MDM	26	NE NW		40
365	47 N	4 E	MDM	26	NW NW		34.7
366	47 N	4 E	MDM	26	SW NW		34.7
367	47 N	4 E	MDM	26	SE NW		40
368	47 N	4 E	MDM	26	NE SW		40
369	47 N	4 E	MDM	26	NW SW		34.7
370	47 N	4 E	MDM	26	SW SW		34.7
371	47 N	4 E	MDM	26	SE SW		40
372	47 N	4 E	MDM	26	NE SE		36
373	47 N	4 E	MDM	26	NW SE		40
374	47 N	4 E	MDM	26	SW SE		40
375	47 N	4 E	MDM	26	SE SE		34.9
376	47 N	4 E	MDM	31	NE NE		21
377	47 N	4 E	MDM	31	SE NE		18.7
378	47 N	4 E	MDM	31	NE SE		24.7
379	47 N	4 E	MDM	31	SE SE		28.7
380	47 N	4 E	MDM	32	SW NE		20
381	47 N	4 E	MDM	32	SE NE		26.4
382	47 N	4 E	MDM	32	NE NW		34.6
383	47 N	4 E	MDM	32	NW NW		38
384	47 N	4 E	MDM	32	SW NW		40
385	47 N	4 E	MDM	32	SE NW		38.1
386	47 N	4 E	MDM	32	NE SW		40
387	47 N	4 E	MDM	32	NW SW		40
388	47 N	4 E	MDM	32	SW SW		36.1
389	47 N	4 E	MDM	32	SE SW		36.4
390	47 N	4 E	MDM	32	NE SE		38
391	47 N	4 E	MDM	32	NW SE		33.7
392	47 N	4 E	MDM	32	SW SE		33.7

	A	B	C	D	E	F	G
1	Attachment A - Claim 317 Modified Place of Use (Tule Lake NWR)						
2	Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
393	47 N	4 E	MDM	32	SE SE		38
394	47 N	4 E	MDM	33	SW NE		27
395	47 N	4 E	MDM	33	SE NE		25.7
396	47 N	4 E	MDM	33	SW NW		26.3
397	47 N	4 E	MDM	33	SE NW		27
398	47 N	4 E	MDM	33	NE SW		37.2
399	47 N	4 E	MDM	33	NW SW		35.6
400	47 N	4 E	MDM	33	SW SW		35.9
401	47 N	4 E	MDM	33	SE SW		38
402	47 N	4 E	MDM	33	NE SE		38.9
403	47 N	4 E	MDM	33	NW SE		34.2
404	47 N	4 E	MDM	33	SW SE		36.6
405	47 N	4 E	MDM	33	SE SE		37.1
406	47 N	4 E	MDM	34	SW NE		11.2
407	47 N	4 E	MDM	34	SE NE		2.7
408	47 N	4 E	MDM	34	SW NW		25.4
409	47 N	4 E	MDM	34	SE NW		17.6
410	47 N	4 E	MDM	34	NE SW		40
411	47 N	4 E	MDM	34	NW SW		37.1
412	47 N	4 E	MDM	34	SW SW		34.8
413	47 N	4 E	MDM	34	SE SW		36.2
414	47 N	4 E	MDM	34	NE SE		15.6
415	47 N	4 E	MDM	34	NW SE		40
416	47 N	4 E	MDM	34	SW SE		35.8
417	47 N	4 E	MDM	34	SE SE		15.2
418	47 N	4 E	MDM	35	NE NE		35.2
419	47 N	4 E	MDM	35	NW NE		40
420	47 N	4 E	MDM	35	SW NE		40
421	47 N	4 E	MDM	35	SE NE		35.5
422	47 N	4 E	MDM	35	NE NW		40
423	47 N	4 E	MDM	35	NW NW		34.7
424	47 N	4 E	MDM	35	SW NW		34.7
425	47 N	4 E	MDM	35	SE NW		40
426	47 N	4 E	MDM	35	NE SW		40
427	47 N	4 E	MDM	35	NW SW		34.7
428	47 N	4 E	MDM	35	SW SW		34.7
429	47 N	4 E	MDM	35	SE SW		40
430	47 N	4 E	MDM	35	NE SE		37.2
431	47 N	4 E	MDM	35	NW SE		40

	A	B	C	D	E	F	G
1	Attachment A - Claim 317 Modified Place of Use (Tule Lake NWR)						
2	Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
432	47 N	4 E	MDM	35	SW SE		40
433	47 N	4 E	MDM	35	SE SE		37.2
434	47 N	4 E	MDM	36	NE NE		36
435	47 N	4 E	MDM	36	NW NE		40
436	47 N	4 E	MDM	36	SW NE		40
437	47 N	4 E	MDM	36	SE NE		36
438	47 N	4 E	MDM	36	NE NW		37
439	47 N	4 E	MDM	36	NW NW		40
440	47 N	4 E	MDM	36	SW NW		40
441	47 N	4 E	MDM	36	SE NW		37
442	47 N	4 E	MDM	36	NE SW		36.6
443	47 N	4 E	MDM	36	NW SW		40
444	47 N	4 E	MDM	36	SW SW		40
445	47 N	4 E	MDM	36	SE SW		37.8
446	47 N	4 E	MDM	36	NE SE		35.8
447	47 N	4 E	MDM	36	NW SE		40
448	47 N	4 E	MDM	36	SW SE		40
449	47 N	4 E	MDM	36	SE SE		36.6
450	47 N	5 E	MDM	7	SW SW	17	14.4
451	47 N	5 E	MDM	17	NW SW		1.6
452	47 N	5 E	MDM	17	SW SW		30.6
453	47 N	5 E	MDM	17	SE SW		2.8
454	47 N	5 E	MDM	18	SW NE	10	31.6
455	47 N	5 E	MDM	18	SE NE		0.5
456	47 N	5 E	MDM	18	NE NW	9	24.1
457	47 N	5 E	MDM	18	NW NW	1	37.2
458	47 N	5 E	MDM	18	SW NW	2	40
459	47 N	5 E	MDM	18	SE NW		38
460	47 N	5 E	MDM	18	NE SW		38
461	47 N	5 E	MDM	18	NW SW	3	40.2
462	47 N	5 E	MDM	18	SW SW	4	40.6
463	47 N	5 E	MDM	18	SE SW		38
464	47 N	5 E	MDM	18	NE SE	11	27.9
465	47 N	5 E	MDM	18	NW SE		40
466	47 N	5 E	MDM	18	SW SE		39.6
467	47 N	5 E	MDM	18	SE SE		38
468	47 N	5 E	MDM	19	NE NE		38
469	47 N	5 E	MDM	19	NW NE		40
470	47 N	5 E	MDM	19	SW NE		37

	A	B	C	D	E	F	G
1	Attachment A - Claim 317 Modified Place of Use (Tule Lake NWR)						
2	Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
471	47 N	5 E	MDM	19	SE NE		35.3
472	47 N	5 E	MDM	19	NE NW		38.2
473	47 N	5 E	MDM	19	NW NW	1	40.8
474	47 N	5 E	MDM	19	SW NW	2	37.7
475	47 N	5 E	MDM	19	SE NW		35.5
476	47 N	5 E	MDM	19	NE SW		38.2
477	47 N	5 E	MDM	19	NW SW	3	40.8
478	47 N	5 E	MDM	19	SW SW	4	40.9
479	47 N	5 E	MDM	19	SE SW		38.4
480	47 N	5 E	MDM	19	NE SE		40
481	47 N	5 E	MDM	19	NW SE		40
482	47 N	5 E	MDM	19	SW SE		39
483	47 N	5 E	MDM	19	SE SE		38.8
484	47 N	5 E	MDM	20	NW NE	5	5.5
485	47 N	5 E	MDM	20	SW NE		36.2
486	47 N	5 E	MDM	20	SE NE		6.6
487	47 N	5 E	MDM	20	NE NW	4	35.3
488	47 N	5 E	MDM	20	NW NW		40
489	47 N	5 E	MDM	20	SW NW		37
490	47 N	5 E	MDM	20	SE NW		37
491	47 N	5 E	MDM	20	NE SW		38.6
492	47 N	5 E	MDM	20	NW SW		40
493	47 N	5 E	MDM	20	SW SW		38.6
494	47 N	5 E	MDM	20	SE SW		36.6
495	47 N	5 E	MDM	20	NE SE		35.9
496	47 N	5 E	MDM	20	NW SE		40
497	47 N	5 E	MDM	20	SW SE		39
498	47 N	5 E	MDM	20	SE SE		33.6
499	47 N	5 E	MDM	29	NE NE		33.6
500	47 N	5 E	MDM	29	NW NE		38
501	47 N	5 E	MDM	29	SW NE		34.6
502	47 N	5 E	MDM	29	SE NE		34
503	47 N	5 E	MDM	29	NE NW		35.5
504	47 N	5 E	MDM	29	NW NW		35.3
505	47 N	5 E	MDM	29	SW NW		37.4
506	47 N	5 E	MDM	29	SE NW		34.6
507	47 N	5 E	MDM	29	NE SW		35.7
508	47 N	5 E	MDM	29	NW SW		36.1
509	47 N	5 E	MDM	29	SW SW		38.2

	A	B	C	D	E	F	G
1	Attachment A - Claim 317 Modified Place of Use (Tule Lake NWR)						
2	Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
510	47 N	5 E	MDM	29	SE SW		37.6
511	47 N	5 E	MDM	29	NE SE		34.8
512	47 N	5 E	MDM	29	NW SE		37.8
513	47 N	5 E	MDM	29	SW SE		40
514	47 N	5 E	MDM	29	SE SE		36.4
515	47 N	5 E	MDM	30	NE NE		37.5
516	47 N	5 E	MDM	30	NW NE		39.6
517	47 N	5 E	MDM	30	SW NE		37
518	47 N	5 E	MDM	30	SE NE		37
519	47 N	5 E	MDM	30	NE NW		39.6
520	47 N	5 E	MDM	30	NW NW	1	41
521	47 N	5 E	MDM	30	SW NW	2	41.6
522	47 N	5 E	MDM	30	SE NW		38.2
523	47 N	5 E	MDM	30	NE SW		39.6
524	47 N	5 E	MDM	30	NW SW	3	40.8
525	47 N	5 E	MDM	30	SW SW	4	40.8
526	47 N	5 E	MDM	30	SE SW		40
527	47 N	5 E	MDM	30	NE SE		38.6
528	47 N	5 E	MDM	30	NW SE		40
529	47 N	5 E	MDM	30	SW SE		40
530	47 N	5 E	MDM	30	SE SE		40
531	47 N	5 E	MDM	31	NE NE		39
532	47 N	5 E	MDM	31	NW NE		39
533	47 N	5 E	MDM	31	SW NE		38.8
534	47 N	5 E	MDM	31	SE NE		38.8
535	47 N	5 E	MDM	31	NE NW		40
536	47 N	5 E	MDM	31	NW NW	1	40.8
537	47 N	5 E	MDM	31	SW NW	2	39
538	47 N	5 E	MDM	31	SE NW		36.9
539	47 N	5 E	MDM	31	NE SW		38.9
540	47 N	5 E	MDM	31	NW SW	3	39.3
541	47 N	5 E	MDM	31	SW SW	4	40.6
542	47 N	5 E	MDM	31	SE SW		40
543	47 N	5 E	MDM	31	NE SE		39.3
544	47 N	5 E	MDM	31	NW SE		38
545	47 N	5 E	MDM	31	SW SE		38.8
546	47 N	5 E	MDM	31	SE SE		38.8
547	47 N	5 E	MDM	32	NE NE		35.5
548	47 N	5 E	MDM	32	NW NE		39

	A	B	C	D	E	F	G
1	Attachment A - Claim 317 Modified Place of Use (Tule Lake NWR)						
2	Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
549	47 N	5 E	MDM	32	SW NE		39
550	47 N	5 E	MDM	32	SE NE		34.1
551	47 N	5 E	MDM	32	NE NW		36.7
552	47 N	5 E	MDM	32	NW NW		33.5
553	47 N	5 E	MDM	32	SW NW		35.7
554	47 N	5 E	MDM	32	SE NW		36.8
555	47 N	5 E	MDM	32	NE SW		36.1
556	47 N	5 E	MDM	32	NW SW		38
557	47 N	5 E	MDM	32	SW SW		37.3
558	47 N	5 E	MDM	32	SE SW		35.9
559	47 N	5 E	MDM	32	NE SE		30.3
560	47 N	5 E	MDM	32	NW SE		39.8
561	47 N	5 E	MDM	32	SW SE		39.5
562	47 N	5 E	MDM	32	SE SE		37.2
563							17967.3

	A	B	C	D	E	F	G
1	Attachment B - Claim 312 Modified Place of Use (Lower Klamath NWR)						
2	Twp	Rng	Mer	Sec	Q-Q or UNIT	GLot	Acres
3							
4	41 S	8 E	WM	1	NE NE	1	34.2
5	41 S	8 E	WM	1	NW NE	2	36.4
6	41 S	8 E	WM	1	SW NE	3	40.5
7	41 S	8 E	WM	1	SE NE	4	38
8	41 S	8 E	WM	1	NE SE	5	38
9	41 S	8 E	WM	1	NW SE	6	40.5
10	41 S	8 E	WM	1	SW SE	7	40.5
11	41 S	8 E	WM	1	SE SE	8	38
12	41 S	8 E	WM	11	SW SW		8
13	41 S	8 E	WM	12	NE NE	1	31.5
14	41 S	8 E	WM	12	NW NE	2	35
15	41 S	8 E	WM	12	SW NE	3	40.5
16	41 S	8 E	WM	12	SE NE	4	36
17	41 S	8 E	WM	12	NE SE	5	36
18	41 S	8 E	WM	12	NW SE	6	40.5
19	41 S	8 E	WM	12	SW SE	7	40.5
20	41 S	8 E	WM	12	SE SE	8	36
21	41 S	8 E	WM	13	NE NE	1	36
22	41 S	8 E	WM	13	NW NE	2	40.2
23	41 S	8 E	WM	13	SW NE	5	39.8
24	41 S	8 E	WM	13	SE NE	6	38.7
25	41 S	8 E	WM	14	NW NW		4.9
26	41 S	9 E	WM	3	NE NW	1	37.4
27	41 S	9 E	WM	3	NW NW	2	38
28	41 S	9 E	WM	3	SW NW	3	37.4
29	41 S	9 E	WM	3	SE NW	4	37.1
30	41 S	9 E	WM	3	NE SW	6	39.4
31	41 S	9 E	WM	3	NW SW	7	39.4
32	41 S	9 E	WM	3	SW SW	8	36.1
33	41 S	9 E	WM	3	SE SW	9	35.3
34	41 S	9 E	WM	3	NW SE	5	37
35	41 S	9 E	WM	3	SW SE	10	34.2
36	41 S	9 E	WM	4	NE NE	1	38
37	41 S	9 E	WM	4	NW NE	2	38.4
38	41 S	9 E	WM	4	SW NE	7	37.2
39	41 S	9 E	WM	4	SE NE	8	37.1
40	41 S	9 E	WM	4	NE NW	3	39.3

	A	B	C	D	E	F	G
1	Attachment B - Claim 312 Modified Place of Use (Lower Klamath NWR)						
2	Twp	Rng	Mer	Sec	Q-Q or UNIT	GLot	Acres
41	41 S	9 E	WM	4	NW NW	4	36.9
42	41 S	9 E	WM	4	SW NW	5	37.8
43	41 S	9 E	WM	4	SE NW	6	40
44	41 S	9 E	WM	4	NE SW	11	40.5
45	41 S	9 E	WM	4	NW SW	12	38
46	41 S	9 E	WM	4	SW SW	13	36.6
47	41 S	9 E	WM	4	SE SW	14	38.6
48	41 S	9 E	WM	4	NE SE	9	38.4
49	41 S	9 E	WM	4	NW SE	10	39.2
50	41 S	9 E	WM	4	SW SE	15	37.6
51	41 S	9 E	WM	4	SE SE	16	37.6
52	41 S	9 E	WM	5	NE NE	1	36.1
53	41 S	9 E	WM	5	SW NE	4	37.2
54	41 S	9 E	WM	5	SE NE	5	37.2
55	41 S	9 E	WM	5	SW NW	2	25.2
56	41 S	9 E	WM	5	SE NW	3	37.7
57	41 S	9 E	WM	5	NE SW	8	34.3
58	41 S	9 E	WM	5	NE SE	6	36.4
59	41 S	9 E	WM	5	NW SE	7	32.9
60	41 S	9 E	WM	5	SW SE	9	34.4
61	41 S	9 E	WM	5	SE SE	10	30.3
62	41 S	9 E	WM	6	NE NE	1	35.2
63	41 S	9 E	WM	6	NW NE	2	39.6
64	41 S	9 E	WM	6	SW NE	7	40.5
65	41 S	9 E	WM	6	SE NE	8	40.5
66	41 S	9 E	WM	6	NE NW	3	39.6
67	41 S	9 E	WM	6	NW NW	4	39.2
68	41 S	9 E	WM	6	SW NW	5	40.5
69	41 S	9 E	WM	6	SE NW	6	40.5
70	41 S	9 E	WM	6	NW SW	9	40.5
71	41 S	9 E	WM	8	NE NE	1	33.1
72	41 S	9 E	WM	8	NW NE	2	36
73	41 S	9 E	WM	8	SW NE	5	40.5
74	41 S	9 E	WM	8	SE NE	6	33.1
75	41 S	9 E	WM	8	SW NW	3	34.2
76	41 S	9 E	WM	8	SE NW	4	39.8
77	41 S	9 E	WM	8	NE SW	9	40.5
78	41 S	9 E	WM	8	NW SW	10	36

	A	B	C	D	E	F	G
1	Attachment B - Claim 312 Modified Place of Use (Lower Klamath NWR)						
2	Twp	Rng	Mer	Sec	Q-Q or UNIT	GLot	Acres
79	41 S	9 E	WM	8	SW SW	11	36.1
80	41 S	9 E	WM	8	SE SW	12	40.5
81	41 S	9 E	WM	8	NE SE	7	33.1
82	41 S	9 E	WM	8	NW SE	8	40
83	41 S	9 E	WM	8	SW SE	13	40.5
84	41 S	9 E	WM	8	SE SE	14	33.1
85	41 S	9 E	WM	9	NE NE	1	38
86	41 S	9 E	WM	9	NW NE	2	39
87	41 S	9 E	WM	9	SW NE	7	36.1
88	41 S	9 E	WM	9	SE NE	8	38.4
89	41 S	9 E	WM	9	NE NW	3	40.5
90	41 S	9 E	WM	9	NW NW	4	40.5
91	41 S	9 E	WM	9	SW NW	5	40.5
92	41 S	9 E	WM	9	SE NW	6	40.5
93	41 S	9 E	WM	9	NE SW	11	39.2
94	41 S	9 E	WM	9	NW SW	12	39
95	41 S	9 E	WM	9	SW SW	13	40.5
96	41 S	9 E	WM	9	SE SW	14	40.5
97	41 S	9 E	WM	9	NE SE	9	38
98	41 S	9 E	WM	9	NW SE	10	36.8
99	41 S	9 E	WM	9	SW SE	15	39.4
100	41 S	9 E	WM	9	SE SE	16	39.6
101	41 S	9 E	WM	10	NE NE	1	38.4
102	41 S	9 E	WM	10	NW NE	2	37.1
103	41 S	9 E	WM	10	SW NE	7	35.2
104	41 S	9 E	WM	10	SE NE	8	36.1
105	41 S	9 E	WM	10	NE NW	3	38.2
106	41 S	9 E	WM	10	NW NW	4	38.4
107	41 S	9 E	WM	10	SW NW	5	36.3
108	41 S	9 E	WM	10	SE NW	6	36.1
109	41 S	9 E	WM	10	NE SW	11	34.8
110	41 S	9 E	WM	10	NW SW	12	34.5
111	41 S	9 E	WM	10	SW SW	13	39.2
112	41 S	9 E	WM	10	SE SW	14	38
113	41 S	9 E	WM	10	NE SE	9	36.3
114	41 S	9 E	WM	10	NW SE	10	36.1
115	41 S	9 E	WM	10	SW SE	15	39.4
116	41 S	9 E	WM	10	SE SE	16	37

	A	B	C	D	E	F	G
1	Attachment B - Claim 312 Modified Place of Use (Lower Klamath NWR)						
2	Twp	Rng	Mer	Sec	Q-Q or UNIT	GLot	Acres
117	41 S	9 E	WM	14	NW SW	8	16.4
118	41 S	9 E	WM	14	NE NE		35.7
119	41 S	9 E	WM	14	NW NE		38
120	41 S	9 E	WM	14	SW NE		40
121	41 S	9 E	WM	14	SE NE		37.6
122	41 S	9 E	WM	14	NE NW		38
123	41 S	9 E	WM	14	NW NW		38
124	41 S	9 E	WM	14	SW NW		40
125	41 S	9 E	WM	14	SE NW		40
126	41 S	9 E	WM	14	NE SW	7	17
127	41 S	9 E	WM	14	NE SE	5	17
128	41 S	9 E	WM	14	NW SE	6	18
129	41 S	9 E	WM	15	NW SW	16	10.8
130	41 S	9 E	WM	15	NE NE	5	34.2
131	41 S	9 E	WM	15	NW NE	6	35.2
132	41 S	9 E	WM	15	SW NE	11	37.4
133	41 S	9 E	WM	15	SE NE	12	37
134	41 S	9 E	WM	15	NE NW	7	34.8
135	41 S	9 E	WM	15	NW NW	8	36.8
136	41 S	9 E	WM	15	SW NW	9	39
137	41 S	9 E	WM	15	SE NW	10	37
138	41 S	9 E	WM	15	NE SW	15	11
139	41 S	9 E	WM	15	NE SE	13	12.9
140	41 S	9 E	WM	15	NW SE	14	12.1
141	41 S	9 E	WM	16	NE NE	5	37
142	41 S	9 E	WM	16	NW NE	6	36.8
143	41 S	9 E	WM	16	SW NE	11	36.1
144	41 S	9 E	WM	16	SE NE	12	39
145	41 S	9 E	WM	16	NE NW	7	38
146	41 S	9 E	WM	16	NW NW	8	39.6
147	41 S	9 E	WM	16	SW NW	9	40.5
148	41 S	9 E	WM	16	SE NW	10	40.5
149	41 S	9 E	WM	16	NE SW	15	7.8
150	41 S	9 E	WM	16	NW SW	16	7
151	41 S	9 E	WM	16	NE SE	13	9.5
152	41 S	9 E	WM	16	NW SE	14	8.1
153	41 S	9 E	WM	17	NE NE	5	33.1
154	41 S	9 E	WM	17	NW NE	6	40.5

	A	B	C	D	E	F	G
1	Attachment B - Claim 312 Modified Place of Use (Lower Klamath NWR)						
2	Twp	Rng	Mer	Sec	Q-Q or UNIT	GLot	Acres
155	41 S	9 E	WM	17	SW NE	11	40.5
156	41 S	9 E	WM	17	SE NE	12	33.1
157	41 S	9 E	WM	17	NE NW	7	38
158	41 S	9 E	WM	17	NW NW	8	36
159	41 S	9 E	WM	17	SW NW	9	36.2
160	41 S	9 E	WM	17	SE NW	10	40.5
161	41 S	9 E	WM	17	NE SW	15	6
162	41 S	9 E	WM	17	NW SW	16	5.7
163	41 S	9 E	WM	17	NE SE	13	5.5
164	41 S	9 E	WM	17	NW SE	14	6.4
165	41 S	9 E	WM	18	NW SW	16	3.7
166	41 S	9 E	WM	18	NE NE	5	36.1
167	41 S	9 E	WM	18	NW NE	6	36.1
168	41 S	9 E	WM	18	SW NE	11	40.5
169	41 S	9 E	WM	18	SE NE	12	40.5
170	41 S	9 E	WM	18	NE NW	7	36.1
171	41 S	9 E	WM	18	NW NW	8	36.6
172	41 S	9 E	WM	18	SW NW	9	40.5
173	41 S	9 E	WM	18	SE NW	10	40.5
174	41 S	9 E	WM	18	NE SW	15	4.6
175	41 S	9 E	WM	18	NE SE	13	6.4
176	41 S	9 E	WM	18	NW SE	14	5.5
177	41 S	10 E	WM	15	SW NW	5	6.8
178	41 S	10 E	WM	15	NE SW	8	23.7
179	41 S	10 E	WM	15	NW SW	9	26.9
180	41 S	10 E	WM	15	NW SE	7	8.2
181	41 S	10 E	WM	16	SW NE		1.8
182	41 S	10 E	WM	16	SE NE	5	11.4
183	41 S	10 E	WM	16	NE SW	7	3.7
184	41 S	10 E	WM	16	NE SE	6	27.2
185	41 S	10 E	WM	16	NW SE		19.3
186	47 N	2 E	MDM	Unsurveyed	UNIT 6A		62.3
187	47 N	2 E	MDM	Unsurveyed	UNIT 6B2		785.6
188	47 N	2 E	MDM	Unsurveyed	UNIT 6C		558.4
189	47 N	2 E	MDM	Unsurveyed	UNIT 7A		1.4
190	47 N	2 E	MDM	Unsurveyed	UNIT 7B		556.1

	A	B	C	D	E	F	G
1	Attachment B - Claim 312 Modified Place of Use (Lower Klamath NWR)						
2	Twp	Rng	Mer	Sec	Q-Q or UNIT	GLot	Acres
191	47 N	2 E	MDM	Unsurveyed	UNIT 10B		538.7
192	47 N	2 E	MDM	Unsurveyed	UNIT 11AN		379.8
193	47 N	2 E	MDM	Unsurveyed	UNIT 11AS		539.6
194	47 N	2 E	MDM	Unsurveyed	UNIT 11B		621
195	47 N	2 E	MDM	Unsurveyed	UNIT 11C		643
196	47 N	2 E	MDM	Unsurveyed	UNIT 13A		1684.1
197	47 N	2 E	MDM	Unsurveyed	UNIT 13B		438.4
198	47 N	3 E	MDM	Unsurveyed	UNIT 4C		0.5
199	47 N	3 E	MDM	Unsurveyed	UNIT 7A		8.7
200	47 N	3 E	MDM	Unsurveyed	UNIT 7B		141.2
201	47 N	3 E	MDM	Unsurveyed	UNIT 8B		665.6
202	47 N	3 E	MDM	Unsurveyed	UNIT 9A		266.8
203	47 N	3 E	MDM	Unsurveyed	UNIT 9B		7.4
204	47 N	3 E	MDM	Unsurveyed	UNIT 11B		84
205	47 N	3 E	MDM	Unsurveyed	UNIT 11C		97.7
206	47 N	3 E	MDM	Unsurveyed	UNIT 12A		700.6
207	47 N	3 E	MDM	Unsurveyed	UNIT 12B		757.1
208	47 N	3 E	MDM	Unsurveyed	UNIT 12C		848.2
209	47 N	3 E	MDM	Unsurveyed	UNIT 13A		48.1
210	47 N	3 E	MDM	Unsurveyed	UNIT 13B		67.7
211	47 N	3 E	MDM	2	NW NW	4	0.1
212	47 N	3 E	MDM	2	SW NW		0.2
213	47 N	3 E	MDM	2	NW SW		10.7
214	47 N	3 E	MDM	2	SW SW		15.2
215	47 N	3 E	MDM	3	NE NE	1	9.5
216	47 N	3 E	MDM	3	NW NE	2	7.6
217	47 N	3 E	MDM	4	NE NW	1	43.9
218	47 N	3 E	MDM	4	NW NW	2	32.5

	A	B	C	D	E	F	G
1	Attachment B - Claim 312 Modified Place of Use (Lower Klamath NWR)						
2	Twp	Rng	Mer	Sec	Q-Q or UNIT	GLot	Acres
219	47 N	3 E	MDM	4	SW NW	3	36.7
220	47 N	3 E	MDM	4	SE NW	4	37.1
221	47 N	3 E	MDM	4	NE SW	5	26
222	47 N	3 E	MDM	4	NW SW	6	39.3
223	47 N	3 E	MDM	4	SW SW	7	39.4
224	47 N	3 E	MDM	4	SE SW	8	15.9
225	47 N	3 E	MDM	4	SE SW		1.3
226	47 N	3 E	MDM	5	NE NE	1	36.3
227	47 N	3 E	MDM	5	NW NE	2	36
228	47 N	3 E	MDM	5	SW NE		38.2
229	47 N	3 E	MDM	5	SE NE		40
230	47 N	3 E	MDM	5	NE NW	3	34.8
231	47 N	3 E	MDM	5	NE SE		38.7
232	47 N	3 E	MDM	5	SE SE		33.5
233	47 N	3 E	MDM	8	NE NE		37
234	47 N	3 E	MDM	8	SE NE		40
235	47 N	3 E	MDM	9	NE NW		10.6
236	47 N	3 E	MDM	9	NW NW	1	40.9
237	47 N	3 E	MDM	9	SW NW	2	27.3
238	47 N	3 E	MDM	9	SW NW		7.4
239	47 N	3 E	MDM	9	SE NW		26.3
240	47 N	3 E	MDM	9	NE SW		39.1
241	47 N	3 E	MDM	9	NW SW	3	19.4
242	47 N	3 E	MDM	9	NW SW		15.2
243	47 N	3 E	MDM	9	SW SW		32.1
244	47 N	3 E	MDM	9	SW SW	4	8
245	47 N	3 E	MDM	9	SE SW		35.3
246	47 N	3 E	MDM	9	NW SE		6.1
247	47 N	3 E	MDM	9	SW SE		23.2
248	47 N	3 E	MDM	9	SE SE		23.6
249	47 N	3 E	MDM	10	SW SW		2.4
250	47 N	3 E	MDM	10	SE SW		2.3
251	47 N	3 E	MDM	10	SW SE		18.6
252	47 N	3 E	MDM	11	NW NW		12.4
253	47 N	3 E	MDM	16	NW NE		5.7
254	47 N	3 E	MDM	16	NE NW		27.2
255	47 N	3 E	MDM	16	NW NW		39.9
256	47 N	3 E	MDM	16	NW NW	1	0.1

	A	B	C	D	E	F	G
1	Attachment B - Claim 312 Modified Place of Use (Lower Klamath NWR)						
2	Twp	Rng	Mer	Sec	Q-Q or UNIT	GLot	Acres
257	47 N	3 E	MDM	16	SW NW		35.5
258	47 N	3 E	MDM	16	SE NW		4.9
259	47 N	3 E	MDM	16	NW SW		6.6
260	47 N	3 E	MDM	17	SE NE		19.5
261	47 N	3 E	MDM	17	NE SE		16.1
262	47 N	3 E	MDM	17	SE SE		19.4
263	47 N	3 E	MDM	20	NW NE		11.1
264	48 N	1 E	MDM	23	NE NE	1	6.6
265	48 N	1 E	MDM	23	SE NE	2	18
266	48 N	1 E	MDM	23	NE SE	3	15.8
267	48 N	1 E	MDM	24	SW SW	3	35.3
268	48 N	1 E	MDM	24	SE SW	2	37.8
269	48 N	1 E	MDM	24	SW SE	1	13.2
270	48 N	1 E	MDM	25	NW NE	5	7.4
271	48 N	1 E	MDM	25	SW NE	6	11.5
272	48 N	1 E	MDM	25	NE SE	8	11.3
273	48 N	2 E	MDM	Unsurveyed	UNIT 1		790.1
274	48 N	2 E	MDM	Unsurveyed	UNIT 3B1		283.2
275	48 N	2 E	MDM	Unsurveyed	UNIT 3B2		352.2
276	48 N	2 E	MDM	Unsurveyed	UNIT 4A		950.9
277	48 N	2 E	MDM	Unsurveyed	UNIT 4B		63.8
278	48 N	2 E	MDM	Unsurveyed	UNIT 4C		101.5
279	48 N	2 E	MDM	Unsurveyed	UNIT 6A		1119
280	48 N	2 E	MDM	Unsurveyed	UNIT 6B1		241.7
281	48 N	2 E	MDM	Unsurveyed	UNIT 6B2		32.2
282	48 N	2 E	MDM	Unsurveyed	UNIT 6C		74.5
283	48 N	2 E	MDM	Unsurveyed	UNIT 7A		317.3
284	48 N	2 E	MDM	Unsurveyed	UNIT 7B		229.9
285	48 N	2 E	MDM	13	NE SW	3	27.8
286	48 N	2 E	MDM	13	NW SW	4	18.4
287	48 N	2 E	MDM	13	SW SW		6.8
288	48 N	2 E	MDM	13	SE SW		35.9
289	48 N	2 E	MDM	13	NE SE	1	28.7
290	48 N	2 E	MDM	13	NW SE	2	28.6
291	48 N	2 E	MDM	13	SW SE		38.1

	A	B	C	D	E	F	G
1	Attachment B - Claim 312 Modified Place of Use (Lower Klamath NWR)						
2	Twp	Rng	Mer	Sec	Q-Q or UNIT	GLot	Acres
292	48 N	2 E	MDM	13	SE SE		40
293	48 N	2 E	MDM	14	NW SE	2	8.8
294	48 N	2 E	MDM	14	SE SE		20.1
295	48 N	2 E	MDM	23	NE NE		40
296	48 N	2 E	MDM	24	NE NE		39.1
297	48 N	2 E	MDM	24	NW NE		39.3
298	48 N	2 E	MDM	24	SW NE		40
299	48 N	2 E	MDM	24	SE NE		39.4
300	48 N	2 E	MDM	24	NE NW		40
301	48 N	2 E	MDM	24	NW NW		35.2
302	48 N	2 E	MDM	24	SE NW		32.4
303	48 N	2 E	MDM	24	NE SW		39.8
304	48 N	2 E	MDM	24	NE SE		40
305	48 N	2 E	MDM	24	NW SE		33.7
306	48 N	2 E	MDM	24	SW SE		39.8
307	48 N	2 E	MDM	24	SE SE		34.2
308	48 N	2 E	MDM	25	NE NE		39.9
309	48 N	2 E	MDM	28	NW SE		6.9
310	48 N	3 E	MDM	Unsurveyed	UNIT 4A		43.9
311	48 N	3 E	MDM	Unsurveyed	UNIT 4C		395.1
312	48 N	3 E	MDM	Unsurveyed	UNIT 4D		18.8
313	48 N	3 E	MDM	Unsurveyed	UNIT 4E		36.5
314	48 N	3 E	MDM	Unsurveyed	UNIT 4F		3.3
315	48 N	3 E	MDM	Unsurveyed	UNIT 7A		125.9
316	48 N	3 E	MDM	Unsurveyed	UNIT 7B		5.7
317	48 N	3 E	MDM	Unsurveyed	UNIT 8A		50.1
318	48 N	3 E	MDM	Unsurveyed	UNIT 8B		40.1
319	48 N	3 E	MDM	18	SW SW	1	31.5
320	48 N	3 E	MDM	19	SW NE	3	9.8
321	48 N	3 E	MDM	19	NE NW	1	13.5
322	48 N	3 E	MDM	19	NW NW		39.8
323	48 N	3 E	MDM	19	SW NW		36.7
324	48 N	3 E	MDM	19	SE NW	2	36.9
325	48 N	3 E	MDM	19	NE SW		38.5
326	48 N	3 E	MDM	19	NW SW		35.8
327	48 N	3 E	MDM	19	SW SW		40
328	48 N	3 E	MDM	19	SE SW		36.9
329	48 N	3 E	MDM	19	NE SE	5	5.7

	A	B	C	D	E	F	G
1	Attachment B - Claim 312 Modified Place of Use (Lower Klamath NWR)						
2	Twp	Rng	Mer	Sec	Q-Q or UNIT	GLot	Acres
330	48 N	3 E	MDM	19	NW SE	4	37.2
331	48 N	3 E	MDM	19	SW SE		39.4
332	48 N	3 E	MDM	19	SE SE	6	33.7
333	48 N	3 E	MDM	22	SW SE		2.7
334	48 N	3 E	MDM	26	NW SW		1.2
335	48 N	3 E	MDM	27	NW NE		18.2
336	48 N	3 E	MDM	27	SE NE		8.1
337	48 N	3 E	MDM	29	NW NW	1	35.6
338	48 N	3 E	MDM	29	SW NW	2	37.9
339	48 N	3 E	MDM	29	SE NW	3	18
340	48 N	3 E	MDM	29	NE SW	5	38.1
341	48 N	3 E	MDM	29	NW SW	6	43.4
342	48 N	3 E	MDM	29	SW SW	7	40.8
343	48 N	3 E	MDM	29	SE SW		38.6
344	48 N	3 E	MDM	29	NW SE	4	8.6
345	48 N	3 E	MDM	29	SW SE	8	32.7
346	48 N	3 E	MDM	29	SE SE	9	5.2
347	48 N	3 E	MDM	30	NE NE	1	40.1
348	48 N	3 E	MDM	30	NW NE	2	36.4
349	48 N	3 E	MDM	30	SW NE		36.3
350	48 N	3 E	MDM	30	SE NE		31.6
351	48 N	3 E	MDM	30	NE NW	3	39.6
352	48 N	3 E	MDM	30	NW NW	4	24.8
353	48 N	3 E	MDM	30	SW NW	5	32.2
354	48 N	3 E	MDM	30	SE NW		33.7
355	48 N	3 E	MDM	30	NE SW		40
356	48 N	3 E	MDM	30	NE SE		36.7
357	48 N	3 E	MDM	30	NW SE		36.1
358	48 N	3 E	MDM	30	SW SE		39.9
359	48 N	3 E	MDM	30	SE SE		38.3
360	48 N	3 E	MDM	31	NE NE		39.4
361	48 N	3 E	MDM	32	NE NE	1	33.7
362	48 N	3 E	MDM	32	NW NE		36
363	48 N	3 E	MDM	32	SW NE		40
364	48 N	3 E	MDM	32	SE NE		37.5
365	48 N	3 E	MDM	32	NE NW		39.1
366	48 N	3 E	MDM	32	NW NW		40
367	48 N	3 E	MDM	32	SW NW		36.5

	A	B	C	D	E	F	G
1	Attachment B - Claim 312 Modified Place of Use (Lower Klamath NWR)						
2	Twp	Rng	Mer	Sec	Q-Q or UNIT	GLot	Acres
368	48 N	3 E	MDM	32	SE NW		38.2
369	48 N	3 E	MDM	32	NE SW		38.4
370	48 N	3 E	MDM	32	NE SE		38.2
371	48 N	3 E	MDM	32	NW SE		38.2
372	48 N	3 E	MDM	32	SW SE		38.5
373	48 N	3 E	MDM	32	SE SE		36.9
374	48 N	3 E	MDM	33	NW NW	1	28.8
375	48 N	3 E	MDM	33	NE SW	2	13.7
376	48 N	3 E	MDM	33	NW SW		40
377	48 N	3 E	MDM	33	SW SW		38.2
378	48 N	3 E	MDM	33	SE SW	3	35.5
379	48 N	3 E	MDM	33	SW SE	4	3.4
380	48 N	3 E	MDM	35	NE NW		8.2
381	48 N	3 E	MDM	35	SE NW		8.3
382	48 N	3 E	MDM	35	NE SW		0.7
383	48 N	3 E	MDM	35	SW SW		15
384							25881.7

CERTIFICATE OF SERVICE

I hereby certify that on February 14, 2013, I served the within **OWRD Letter to Parties to Klamath Basin Adjudication** and associated **CD** containing (1) **USFWS CLAIMS 317 and 312 MAP STIPULATION**, and (2) **documentation of ex parte contact concerning mapping projects** on the parties hereto with a true, exact and full copy thereof, by regular first-class mail addressed to the addresses indicated below:

Mark Neuman
Natural Resources Specialist
Bureau of Reclamation
6600 Washburn Way
Klamath Falls, OR 97603

Paul S. Simmons
Somach, Simmons & Dunn
500 Capitol Mall, Suite 1000
Sacramento, CA 95814

Jesse D. Ratcliffe
Oregon Dept. of Justice
1162 Court St NE
Salem, OR 97310

William M. Ganong
Attorney at Law
514 Walnut Street
Klamath Falls, OR 97601

Gary B. Randall
Environment and Natural Resources Div.
United States Bureau of Reclamation
United States Department of Justice
P.O. Box 663
Washington, DC 20044-0663

Bruce Bernard
United States Department of Justice
Environment and Natural Resources Division
South Terrace, Suite 370
999 18th Street
Denver, OR 80202

Stephen R. Palmer
United States Bureau of Reclamation
Office of the Regional Solicitor
U.S. Department of the Interior
2800 Cottage Way, Room E-1712
Sacramento, CA 85825-1898

Ryan Madsen
Chief Engineering Division
United States Bureau of Reclamation
Klamath Basin Area Office
6600 Washburn Way
Klamath Falls, OR 97603-9365

Carl V. Ullman
Water Adjudication Project
The Klamath Tribes
P.O. Box 957
Chiloquin, OR 97624

Barbara Scott-Brier
U.S. Department of Justice
Office of Regional Solicitor
805 S.W. Broadway, Suite 600
Portland, OR 97205-3346
Justin E. Throne
Attorney at Law
280 Main Street
Klamath Falls, OR 97601

Richard M. Glick / P. Andrew McStay, Jr.
Davis, Wright, Tremaine LLP
1300 S.W. Fifth Avenue Suite 2300
Portland, OR 97201

Schwabe, Williamson & Wyatt PC
1211 S.W. Fifth Avenue, Suite 1900
Portland, OR 97204

Nathan J. Ratliff
Parks & Ratliff PC
620 Main Street
Klamath Falls, OR 97601

Greg D. Corbin / Jennie L. Bricker
Stoel Rives LLP
900 S.W. Fifth Avenue, Suite 2600
Portland, OR 97204-1268

Mary Cheyne
Klamath Drainage District
4901 Lower Klamath Lake Road
Klamath Falls, OR 97601

Don Carper
Klamath Sprig and Honker Club, Inc.
8346 Woodborough Way
Fair Oaks, CA 95628

Steven L. Shropshire
Jordan Ramis PC
2 Centerpoint Drive, 6th Floor
Lake Oswego, OR 97035

Mark Campbell
JELD-WEN Timber & Ranches
401 Harbor Isles Blvd.
Klamath Falls, OR 97601

Ronald S. Yockim
P.O. Box 2456
Roseburg, OR 97470

B.J. Matzen
435 Oak Avenue
Klamath Falls, OR 97601

David Solem
Klamath Irrigation District
6640 Klamath Irrigation District Lane
Klamath Falls, OR 97603

Douglas W. MacDougal
Marten Law
1001 S.W. Fifth Avenue, Suite 1500
Portland, OR 97204

Shasta View Irrigation District
PO Box 46
Malin, OR 97632

David E. Filippi
Stoel Rives LLP
900 S.W. Fifth Avenue, Suite 2600
Portland, OR 97204-1268

Edward and Marilyn Livingston
57250 Gerber Road
Bonanza, OR 97623

Lanny A. Fujishin
Oregon Department of Fish and Wildlife
1850 Miller Island Road West
Klamath Falls, OR 97603

Earle W. Cummings
Klamath Sprig and Honker Club, Inc.
P.O. Box 1090
Geyserville, CA 95441

Sylvia G. Bruce
686 South 8th Avenue
Yuma, AZ 85364

Lynne A. Perry
Oregon Department of Justice
Natural Resources Section
1515 S.W. Fifth Avenue, Suite 410
Portland, OR 97201
Mary Jane Danforth
P.O. Box 425
Fort Klamath, OR 97603

Tom and Althia Stephens
P.O. Box 1251
Chiloquin, OR 97624

Caledona Properties LLC
1691 Cross Road
Klamath Falls, OR 97601

Leland Woods Trust
14121 Matney Road
Klamath Falls, OR 97603

JELD-WEN, Inc.
10500 Hwy. 140 W.
Klamath Falls, OR 97601

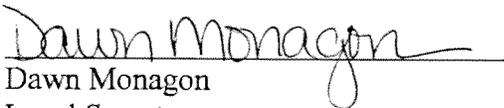
Running Y Development, LLC
35 S. Grand Avenue, 28th Floor
Los Angeles, CA 90071

Elizabeth E. Howard
Dunn Carney Allen Higgins & Tongue LLP
851 S.W. Sixth Avenue, Suite 1500
Portland, OR 97204

RLF Running Y Ranch, LLC
619 N. Cascade Avenue, Suite 200
Colorado Springs, CO 80903

Courtesy Copy:

Andrea Rabe
421 Commercial Street
Klamath Falls, OR 97601


Dawn Monagon
Legal Secretary
Oregon Water Resources Department