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 the UNITED STATES DEPARTMENT OF INTERIOR, U.S. NATIONAL PARK SERVICE	)))))	PARTIAL ORDER OF DETERMINATION Water Right Claim 591

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

A. FINDINGS OF FACT

1. On April 30, 1997, the UNITED STATES DEPARTMENT OF INTERIOR, NATIONAL PARK SERVICE (USNPS) timely submitted a Statement and Proof of Claim (Claim 591) to the Oregon Water Resources Department (OWRD) pursuant to ORS Chapter 539 in the Klamath Basin Adjudication claiming a federal reserved water right under the Act of May 22, 1902, ch. 820, §1, 32 Stat. 202; the Act of Aug. 25, 1916, ch. 408, §2, 39 Stat. 535 (National Park Service Organic Act); the Act of May 14, 1932, ch 184, 47 Stat. 155; the U.S. DISTRICT COURT OF OREGON, FINAL JUDGMENT NO. CIV-424 (C.C. Yawkey, *et al.*, Dec. 5, 1940); the U.S. DISTRICT COURT OF OREGON, NO. CIV-785, JUDGMENT ON THE DECLARATION OF TAKING AND AMENDED DECLARATION OF TAKING (Gladstone Land and Timber Co., Jan. 30, 1942); Pub. L. No. 96-553, 94 Stat. 3255 (Dec. 19, 1980); and Pub.L. No. 97-250, 96 Stat. 709 (Sept. 8, 1982).

2. On October 1, 1999, the USNPS timely amended Claim 591 to show the claimed priority date for each subdivision of a reach.

3. On October 4, 1999, following investigation of the evidence submitted, the Adjudicator issued a Summary and Preliminary Evaluation of Claims (Preliminary Evaluation) stating the claim was approved.

4. On May 5, 2000, the Claimant, USNPS, timely filed Contest 3935 to the Preliminary Evaluation of Claim 591.

5. On May 8, 2000, WaterWatch of Oregon, Inc. timely filed Contest 3005 to the Claim and/or Preliminary Evaluation of Claim 591.

6. On May 8, 2000, the following parties, hereinafter collectively referred to as "Nicholson *et al.*," filed Contest 3113 to the Claim and/or Preliminary Evaluation of Claim 591: Roger Nicholson; Roger Nicholson Cattle Co.[1]; Lloyd Nicholson Trust[2]; Dorothy Nicholson Trust[3]; Richard Nicholson; Jim McAuliffe and McAuliffe Ranches[4]; Maxine Kizer; Ambrose McAuliffe; Susan McAuliffe; Joe McAuliffe Company[5]; Kenneth L. Tuttle and Karen L. Tuttle dba Double K Ranch; Dave Wood; Kenneth Zamzow; Anita Nicholson[6]; Wm. S. Nicholson; John B. Owens; Kenneth Owens; Wm L. Brewer; Mary Jane Danforth; Jane M. Barnes; Franklin Lockwood Barnes, Jr.; Jacob D. Wood[7]; Elmore E. Nicholson; Mary Ann Nicholson; Gerald H. Hawkins, Hawkins Cattle Co.; Owens & Hawkins; Harlowe Ranch; Terry M. Bengard; Tom Bengard; and Dwight T. Mebane and Helen Mebane[8].

7. These matters were referred to the Office of Administrative Hearings for a contested case hearing. The Office of Administrative Hearings designated these matters and other like claims of the USNPS as Case 001.

8. On August 2, 2001, OWRD, the Claimants (USNPS) and the Contestants (WaterWatch, and Nicholson *et al.*) executed a STIPULATION (Settlement Agreement) which resolved the Contests 3005, 3113, and 3935 to Claim 591.

9. On August 2, 2001, the Claims 591-601 were withdrawn from the Office of Administrative Hearings pursuant to the Settlement Agreement.

10. As explained in the GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS the date of reservation is the priority date of a federal reserved water right. This claim has the following reservation dates: May, 22, 1902, based on the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT. 202; and May 14, 1932, based on the ACT OF MAY 14, 1932, CH 184, 47 STAT. 155.

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[1] Agri Water, LLC, successor in interest to Roger Nicholson Cattle Co.

[2] Roger Nicholson and Richard Nicholson, successors in interest to Lloyd Nicholson Trust

[3] Roger Nicholson and Richard Nicholson, successors in interest to Dorothy Nicholson Trust

[4] Robinson Best, LLC, successors in interest to PCA Acquired Properties, LLC; PCA Acquired Properties, LLC, successors in interest to Farm Credit West, PCA; Farm Credit West, PCA, successors in interest to Dwight T. Mebane and Helen Mebane; Dwight T. Mebane and Helen Mebane, successors in interest to Jim McAuliffe and McAuliffe Ranches

[5] Robinson Best, LLC, successors in interest to PCA Acquired Properties, LLC; PCA Acquired Properties, LLC, successors in interest to Farm Credit West, PCA; Farm Credit West, PCA, successors in interest to Dwight T. Mebane and Helen Mebane; Dwight T. Mebane and Helen Mebane, successors in interest to Joe McAuliffe Company

[6] Nicholson Investments, LLC, successor in interest to Anita Nicholson

[7] On January 15, 2010, Jacob D. Wood voluntarily withdrew from Contest 3113. *See* NOTICE OF WITHDRAWAL OF CONTEST (Jan. 15, 2010).

[8] Robinson Best, LLC, successors in interest to PCA Acquired Properties, LLC; PCA Acquired Properties, LLC, successors in interest to Farm Credit West, PCA; Farm Credit West, PCA, successors in interest to Dwight T. Mebane and Helen Mebane; Sevenmile Creek Ranch, successor in partial interest to Dwight T. Mebane and Helen Mebane.

B. DETERMINATION

1. The Settlement Agreement executed between OWRD, the Claimants (USNPS) and the Contestants (WaterWatch, and Nicholson *et al.*) is adopted and incorporated as if set forth fully herein.

2. The instream flows recognized pursuant to this claim are not additive to any other instream flows based on other water rights, permits or claims within the same stream reach or a portion of the same stream reach.

3. The combination of the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT. 202; the ACT OF AUG. 25, 1916, CH. 408, §2, 39 STAT. 535; the ACT OF MAY 14, 1932, CH 184, 47 STAT. 155 and PUB. L. NO. 97-250, 96 STAT. 709 (Sept. 8, 1982) are valid bases for this federal reserved water right claim, including the claimed purposes of use. The GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS are incorporated as if set forth fully herein.

4. Based on the file and record herein, IT IS ORDERED that Claim 591 is approved as set forth in the following Water Right Claim Description.

[Beginning of Water Right Claim Description]

CLAIM NO. 591

CLAIM MAP REFERENCE: USNPS MYLAR MAPS FILED 10-1-1999

CLAIMANT: UNITED STATES DEPARTMENT OF INTERIOR
U.S. NATIONAL PARK SERVICE
1201 OAKRIDGE DR, SUITE 250
FORT COLLINS, CO 80525

SOURCE OF WATER:
ANNIE CREEK AND ITS TRIBUTARIES WITHIN THE BOUNDARY OF CRATER LAKE NATIONAL PARK, tributary to the WOOD RIVER

PURPOSE OR USE:
PRESERVATION AND PROTECTION OF ALL NATURAL AND HISTORIC OBJECTS, TIMBER AND WILDLIFE, AND CONSERVATION OF SCENERY

RATE:
ALL NATURAL FLOW LESS THOSE AMOUNTS NEEDED FOR CRATER LAKE NATIONAL PARK OUT-OF-STREAM USES

PERIOD OF ALLOWED USE: JANUARY 1 – DECEMBER 31

DATES OF PRIORITY AND THE PLACES OF USE ARE LOCATED AS FOLLOWS:

MAINSTEM ANNIE CREEK - REACH A							
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**		**Approx River Mile***
May 22, 1902	Upper Reach Boundary	31 S	5 E	WM	13	At Annie Springs	11.4
	Lower Reach Boundary	32 S	6 E	WM	13	PB 39	2.9
MAINSTEM ANNIE CREEK - REACH B							
May 14, 1932	Upper Reach Boundary	32 S	6 E	WM	13	PB 39	2.9
	Lower Reach Boundary	32 S	6 E	WM	25	PB 58	0.0

*River miles are measured upstream from the Crater Lake National Park boundary.

UNNAMED TRIBUTARY "ANNIE-1"						
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**	**Approx River Mile***
May 22, 1902	Upper Reach Boundary	32 S	6 E	WM	3	0.6
	Lower Reach Boundary	32 S	6 E	WM	10	0.0

* River miles are measured upstream from the confluence of Annie-1 with Annie Creek.

EAST FORK OF ANNIE CREEK						
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**	**Approx River Mile***
May 22, 1902	Upper Reach Boundary	31 S	6 E	WM	15	4.9
	Lower Reach Boundary	32 S	6 E	WM	4	0.0

* River miles are measured upstream from the confluence of the East Fork with Annie Creek

UNNAMED TRIBUTARY "ANNIE-2," TRIBUTARY TO EAST FORK OF ANNIE CREEK						
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**	**Approx River Mile***
May 22, 1902	Upper Reach Boundary	31 S	6 E	WM	27	1
	Lower Reach Boundary	31 S	6 E	WM	28	0.0

* River miles are measured upstream from the confluence with the tributary.

UNNAMED TRIBUTARY "ANNIE-3," TRIBUTARY TO EAST FORK OF ANNIE CREEK						
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**	**Approx River Mile***
May 22, 1902	Upper Reach Boundary	31 S	6 E	WM	15	1.9
	Lower Reach Boundary	31 S	6 E	WM	28	0.0

* River miles are measured upstream from the confluence with the tributary.

UNNAMED TRIBUTARY "ANNIE-4"						
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**	**Approx River Mile***
May 22, 1902	Upper Reach Boundary	32 S	5 E	WM	1	3.3
	Lower Reach Boundary	32 S	6 E	WM	4	0.0

* River miles are measured upstream from the confluence of Annie Creek-4 with Annie Creek

MIDDLE FORK OF ANNIE CREEK						
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**	**Approx River Mile***
May 22, 1902	Upper Reach Boundary	31 S	6 E	WM	21	2.7
	Lower Reach Boundary	31 S	6 E	WM	33	0.0

* River miles are measured upstream from the confluence of the Middle Fork with Annie Creek

UNNAMED TRIBUTARY "ANNIE-5," TRIBUTARY TO MIDDLE FORK OF ANNIE CREEK						
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**	**Approx River Mile***
May 22, 1902	Upper Reach Boundary	31 S	6 E	WM	20	0.6
	Lower Reach Boundary	31 S	6 E	WM	28	0.0

* River miles are measured upstream from the confluence with the tributary.

POLE BRIDGE CREEK						
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**	**Approx River Mile***
May 22, 1902	Upper Reach Boundary	31 S	5 E	WM	36	1.9
	Lower Reach Boundary	31 S	6 E	WM	32	0.0

* River miles are measured upstream from the confluence of Pole Bridge Creek with Annie Creek

MUNSON CREEK						
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**	**Approx River Mile***
May 22, 1902	Upper Reach Boundary	31 S	6 E	WM	8	4.3
	Lower Reach Boundary	31 S	6 E	WM	29	0.0

* River miles are measured upstream from the confluence of Munson Creek with Annie Creek

UNNAMED TRIBUTARY "ANNIE-6," TRIBUTARY TO MUNSON CREEK						
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**	**Approx River Mile***
May 22, 1902	Upper Reach Boundary	31 S	6 E	WM	9	0.9
	Lower Reach Boundary	31 S	6 E	WM	17	0.0

* River miles are measured upstream from the confluence of Annie-6 with Munson Creek

GOODBYE CREEK						
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**	**Approx River Mile***
May 22, 1902	Upper Reach Boundary	31 S	6 E	WM	17	1.4
	Lower Reach Boundary	31 S	6 E	WM	30	0.0

* River miles are measured upstream from the confluence of Goodbye Creek with Annie Creek

UNNAMED TRIBUTARY "ANNIE-7," TRIBUTARY TO GOODBYE CREEK						
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**	**Approx River Mile***
May 22, 1902	Upper Reach Boundary	31 S	6 E	WM	20	1.2
	Lower Reach Boundary	31 S	6 E	WM	30	0.0

* River miles are measured upstream from the confluence with the tributary.

[End of Water Right Claim Description]

Dated at Salem, Oregon on March 7, 2013

Dwight French, Adjudicator
Klamath Basin General Stream Adjudication

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 the UNITED STATES DEPARTMENT OF INTERIOR, U.S. NATIONAL PARK SERVICE	)))))	PARTIAL ORDER OF DETERMINATION Water Right Claim 592

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

A. FINDINGS OF FACT

1. On April 30, 1997, the UNITED STATES DEPARTMENT OF INTERIOR, NATIONAL PARK SERVICE (USNPS) timely submitted a Statement and Proof of Claim (Claim 592) to the Oregon Water Resources Department (OWRD) pursuant to ORS Chapter 539 in the Klamath Basin Adjudication claiming a federal reserved water right under the Act of May 22, 1902, ch. 820, §1, 32 Stat. 202; the Act of Aug. 25, 1916, ch. 408, §2, 39 Stat. 535 (National Park Service Organic Act); the Act of May 14, 1932, ch 184, 47 Stat. 155; the U.S. DISTRICT COURT OF OREGON, FINAL JUDGMENT NO. CIV-424 (C.C. Yawkey, *et al.*, Dec. 5, 1940); the U.S. DISTRICT COURT OF OREGON, NO. CIV-785, JUDGMENT ON THE DECLARATION OF TAKING AND AMENDED DECLARATION OF TAKING (Gladstone Land and Timber Co., Jan. 30, 1942); Pub. L. No. 96-553, 94 Stat. 3255 (Dec. 19, 1980); and Pub.L. No. 97-250, 96 Stat. 709 (Sept. 8, 1982).

2. On October 1, 1999, the USNPS timely amended Claim 592 to show the claimed priority date for each subdivision of a reach.

3. On October 4, 1999, following investigation of the evidence submitted, the Adjudicator issued a Summary and Preliminary Evaluation of Claims (Preliminary Evaluation) stating the claim was approved.

4. On May 5, 2000, the Claimant, USNPS, timely filed Contest 3936 to the Preliminary Evaluation of Claim 592.

5. On May 8, 2000, WaterWatch of Oregon, Inc. timely filed Contest 3006 to the Claim and/or Preliminary Evaluation of Claim 592.

6. These matters were referred to the Office of Administrative Hearings for a contested case hearing. The Office of Administrative Hearings designated these matters and other like claims of the USNPS as Case 001.

7. On August 2, 2001, OWRD, the Claimants (USNPS) and the Contestant (WaterWatch) executed a STIPULATION (Settlement Agreement) which resolved the Contests 3006 and 3936 to Claim 592.

8. On August 2, 2001, the Claims 591-601 were withdrawn from the Office of Administrative Hearings pursuant to the Settlement Agreement.

9. As explained in the GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS the date of reservation is the priority date of a federal reserved water right. This claim has the following reservation dates: May, 22, 1902, based on the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT. 202; and December 19, 1980, based on PUB. L. NO. 96-553, 94 STAT. 3255.

B. DETERMINATION

1. The Settlement Agreement executed between OWRD, the Claimants (USNPS) and the Contestants (WaterWatch, and Nicholson *et al.*) is adopted and incorporated as if set forth fully herein.

2. The instream flows recognized pursuant to this claim are not additive to any other instream flows based on other water rights, permits or claims within the same stream reach or a portion of the same stream reach.

3. The combination of the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT. 202; the ACT OF AUG. 25, 1916, CH. 408, §2, 39 STAT. 535; PUB. L. NO. 96-553, 94 STAT. 3255 (Dec. 19, 1980); and PUB. L. NO. 97-250, 96 STAT. 709 (Sept. 8, 1982) are valid bases for this federal reserved water right claim, including the claimed purposes of use. The GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS are incorporated as if set forth fully herein.

4. Based on the file and record herein, IT IS ORDERED that Claim 592 is approved as set forth in the following Water Right Claim Description.

[Beginning of Water Right Claim Description]

CLAIM NO. 592

CLAIM MAP REFERENCE: USNPS MYLAR MAPS FILED 10-1-1999

CLAIMANT: UNITED STATES DEPARTMENT OF INTERIOR
U.S. NATIONAL PARK SERVICE
1201 OAKRIDGE DR, SUITE 250
FORT COLLINS, CO 80525

SOURCE OF WATER:
BEAR CREEK WITHIN THE BOUNDARY OF CRATER LAKE NATIONAL PARK, tributary to the WILLIAMSON RIVER

PURPOSE OR USE:
PRESERVATION AND PROTECTION OF ALL NATURAL AND HISTORIC OBJECTS, TIMBER AND WILDLIFE, AND CONSERVATION OF SCENERY

RATE:
ALL NATURAL FLOW LESS THOSE AMOUNTS NEEDED FOR CRATER LAKE NATIONAL PARK OUT-OF-STREAM USES

PERIOD OF ALLOWED USE: JANUARY 1 – DECEMBER 31

DATES OF PRIORITY AND THE PLACES OF USE ARE LOCATED AS FOLLOWS:

MAINSTEM BEAR CREEK - REACH A						
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**	**Approx River Mile***
May 22, 1902	Upper Reach Boundary	30 S	6 E	WM	30	4.2
	Lower Reach Boundary	30 S	6 E	WM	15	1.0
MAINSTEM BEAR CREEK - REACH B						
December 19, 1980	Upper Reach Boundary	30 S	6 E	WM	15	1.0
	Lower Reach Boundary	30 S	6 E	WM	15	0.0

*River miles are measured upstream from the Crater Lake National Park boundary.

[End of Water Right Claim Description]

Dated at Salem, Oregon on March 7, 2013

Dwight French, Adjudicator
Klamath Basin General Stream Adjudication

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 the UNITED STATES DEPARTMENT OF INTERIOR, U.S. NATIONAL PARK SERVICE	)))))	PARTIAL ORDER OF DETERMINATION Water Right Claim 593

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

A. FINDINGS OF FACT

1. On April 30, 1997, the UNITED STATES DEPARTMENT OF INTERIOR, NATIONAL PARK SERVICE (USNPS) timely submitted a Statement and Proof of Claim (Claim 593) to the Oregon Water Resources Department (OWRD) pursuant to ORS Chapter 539 in the Klamath Basin Adjudication claiming a federal reserved water right under the Act of May 22, 1902, ch. 820, §1, 32 Stat. 202; the Act of Aug. 25, 1916, ch. 408, §2, 39 Stat. 535 (National Park Service Organic Act); the Act of May 14, 1932, ch 184, 47 Stat. 155; the U.S. DISTRICT COURT OF OREGON, FINAL JUDGMENT NO. CIV-424 (C.C. Yawkey, *et al.*, Dec. 5, 1940); the U.S. DISTRICT COURT OF OREGON, NO. CIV-785, JUDGMENT ON THE DECLARATION OF TAKING AND AMENDED DECLARATION OF TAKING (Gladstone Land and Timber Co., Jan. 30, 1942); Pub. L. No. 96-553, 94 Stat. 3255 (Dec. 19, 1980); and Pub.L. No. 97-250, 96 Stat. 709 (Sept. 8, 1982).

2. On October 1, 1999, the USNPS timely amended Claim 593 to show the claimed priority date for each subdivision of a reach.

3. On October 4, 1999, following investigation of the evidence submitted, the Adjudicator issued a Summary and Preliminary Evaluation of Claims (Preliminary Evaluation) stating the claim was approved.

4. On May 5, 2000, the Claimant, USNPS, timely filed Contest 3937 to the Preliminary Evaluation of Claim 593.

5. On May 8, 2000, WaterWatch of Oregon, Inc. timely filed Contest 3007 to the Claim and/or Preliminary Evaluation of Claim 593.

6. These matters were referred to the Office of Administrative Hearings for a contested case hearing. The Office of Administrative Hearings designated these matters and other like claims of the USNPS as Case 001.

7. On August 2, 2001, OWRD, the Claimants (USNPS) and the Contestant (WaterWatch) executed a STIPULATION (Settlement Agreement) which resolved the Contests 3007 and 3937 to Claim 593.

8. On August 2, 2001, the Claims 591-601 were withdrawn from the Office of Administrative Hearings pursuant to the Settlement Agreement.

9. As explained in the GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS the date of reservation is the priority date of a federal reserved water right. This claim has the following reservation date: May, 22, 1902, based on the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT. 202.

10. OWRD describes the place of use for Claim 593 as Crater Lake within the following locations (USNPS MYLAR MAPS filed 10-1-1999):

Township 30 South, Range 5.0 East, W.M., Sections 24, 25, 36
Township 30 South, Range 5.5 East, W.M., Sections 11, 13-17, 19-36 (PB 37)
Township 30 South, Range 6.0 East, W.M., Sections 19, 30, PB 42
Township 31 South, Range 6.0 East, W.M., Sections 1-6, 9-11, PB 37

B. DETERMINATION

1. The Settlement Agreement executed between OWRD, the Claimants (USNPS) and the Contestant (WaterWatch) is adopted and incorporated as if set forth fully herein.

2. The instream flows recognized pursuant to this claim are not additive to any other instream flows based on other water rights, permits or claims within the same stream reach or a portion of the same stream reach.

3. The combination of the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT. 202; the ACT OF AUG. 25, 1916, CH. 408, §2, 39 STAT. 535; and PUB. L. NO. 97-250, 96 STAT. 709 (Sept. 8, 1982) are valid bases for this federal reserved water right claim, including the claimed purposes of use. The GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS are incorporated as if set forth fully herein.

4. Based on the file and record herein, IT IS ORDERED that Claim 593 is approved as set forth in the following Water Right Claim Description.

[Beginning of Water Right Claim Description]

CLAIM NO. 593

CLAIM MAP REFERENCE: USNPS MYLAR MAPS FILED 10-1-1999

CLAIMANT: UNITED STATES DEPARTMENT OF INTERIOR
U.S. NATIONAL PARK SERVICE
1201 OAKRIDGE DR, SUITE 250
FORT COLLINS, CO 80525

SOURCE OF WATER: CRATER LAKE

PURPOSE OR USE:
PRESERVATION AND PROTECTION OF ALL NATURAL AND HISTORIC OBJECTS, TIMBER AND WILDLIFE, AND CONSERVATION OF SCENERY

RATE: ALL NATURAL LAKE LEVELS

PERIOD OF ALLOWED USE: JANUARY 1 – DECEMBER 31

DATE OF PRIORITY: MAY 22, 1902

PLACE OF USE:
CRATER LAKE WITHIN THE FOLLOWING LOCATIONS:

Twp	Rng	Mer	Sections
30 S	5.0 E	WM	24, 25, 36
30 S	5.5 E	WM	11, 13, 14, 15, 16, 17, and 19 to 36 (PB 37)
30 S	6.0 E	WM	19, 30, and PB 42
31 S	6.0 E	WM	1, 2, 3, 4, 5, 6, 9, 10, 11 and PB 37

[End of Water Right Claim Description]

Dated at Salem, Oregon on March 7, 2013

Dwight French, Adjudicator
Klamath Basin General Stream Adjudication

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 the UNITED STATES DEPARTMENT OF INTERIOR, U.S. NATIONAL PARK SERVICE	)))))	PARTIAL ORDER OF DETERMINATION Water Right Claim 594

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

A. FINDINGS OF FACT

1. On April 30, 1997, the UNITED STATES DEPARTMENT OF INTERIOR, NATIONAL PARK SERVICE (USNPS) timely submitted a Statement and Proof of Claim (Claim 594) to the Oregon Water Resources Department (OWRD) pursuant to ORS Chapter 539 in the Klamath Basin Adjudication claiming a federal reserved water right under the Act of May 22, 1902, ch. 820, §1, 32 Stat. 202; the Act of Aug. 25, 1916, ch. 408, §2, 39 Stat. 535 (National Park Service Organic Act); the Act of May 14, 1932, ch 184, 47 Stat. 155; the U.S. DISTRICT COURT OF OREGON, FINAL JUDGMENT NO. CIV-424 (C.C. Yawkey, *et al.*, Dec. 5, 1940); the U.S. DISTRICT COURT OF OREGON, NO. CIV-785, JUDGMENT ON THE DECLARATION OF TAKING AND AMENDED DECLARATION OF TAKING (Gladstone Land and Timber Co., Jan. 30, 1942); Pub. L. No. 96-553, 94 Stat. 3255 (Dec. 19, 1980); and Pub.L. No. 97-250, 96 Stat. 709 (Sept. 8, 1982).

2. On October 1, 1999, the USNPS timely amended Claim 594 to show the claimed priority date for each subdivision of a reach.

3. On October 4, 1999, following investigation of the evidence submitted, the Adjudicator issued a Summary and Preliminary Evaluation of Claims (Preliminary Evaluation) stating the claim was approved.

4. On May 5, 2000, the Claimant, USNPS, timely filed Contest 3938 to the Preliminary Evaluation of Claim 594.

5. On May 8, 2000, WaterWatch of Oregon, Inc. timely filed Contest 3008 to the Claim and/or Preliminary Evaluation of Claim 594.

6. These matters were referred to the Office of Administrative Hearings for a contested case hearing. The Office of Administrative Hearings designated these matters and other like claims of the USNPS as Case 001.

7. On August 2, 2001, OWRD, the Claimants (USNPS) and the Contestant (WaterWatch) executed a STIPULATION (Settlement Agreement) which resolved the Contests 3008 and 3938 to Claim 594.

8. On August 2, 2001, the Claims 591-601 were withdrawn from the Office of Administrative Hearings pursuant to the Settlement Agreement.

9. As explained in the GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS the date of reservation is the priority date of a federal reserved water right. This claim has the following reservation date: May, 22, 1902, based on the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT 202.

B. DETERMINATION

1. The Settlement Agreement executed between OWRD, the Claimants (USNPS) and the Contestant (WaterWatch) is adopted and incorporated as if set forth fully herein.

2. The instream flows recognized pursuant to this claim are not additive to any other instream flows based on other water rights, permits or claims within the same stream reach or a portion of the same stream reach.

3. The combination of the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT. 202; the ACT OF AUG. 25, 1916, CH. 408, §2, 39 STAT. 535; and PUB. L. NO. 97-250, 96 STAT. 709 (Sept. 8, 1982) are valid bases for this federal reserved water right claim, including the claimed purposes of use. The GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS are incorporated as if set forth fully herein.

4. Based on the file and record herein, IT IS ORDERED that Claim 594 is approved as set forth in the following Water Right Claim Description.

[Beginning of Water Right Claim Description]

CLAIM NO. 594

CLAIM MAP REFERENCE: USNPS MYLAR MAPS FILED 10-1-1999

CLAIMANT: UNITED STATES DEPARTMENT OF INTERIOR
U.S. NATIONAL PARK SERVICE
1201 OAKRIDGE DR, SUITE 250
FORT COLLINS, CO 80525

SOURCE OF WATER:
DESERT CREEK WITHIN THE BOUNDARY OF CRATER LAKE NATIONAL PARK, tributary to the WILLIAMSON RIVER

PURPOSE OR USE:
PRESERVATION AND PROTECTION OF ALL NATURAL AND HISTORIC OBJECTS, TIMBER AND WILDLIFE, AND CONSERVATION OF SCENERY

RATE:
ALL NATURAL FLOW LESS THOSE AMOUNTS NEEDED FOR CRATER LAKE NATIONAL PARK OUT-OF-STREAM USES

PERIOD OF ALLOWED USE: JANUARY 1 – DECEMBER 31

DATE OF PRIORITY AND THE PLACES OF USE ARE LOCATED AS FOLLOWS:

MAINSTEM DESERT CREEK						
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**	**Approx River Mile***
May 22, 1902	Upper Reach Boundary	29 S	6 E	WM	32	1.5
	Lower Reach Boundary	29 S	6 E	WM	PB 53	0.0

*River miles are measured upstream from the Crater Lake National Park boundary.

[End of Water Right Claim Description]

Dated at Salem, Oregon on March 7, 2013

Dwight French, Adjudicator
Klamath Basin General Stream Adjudication

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 the UNITED STATES DEPARTMENT OF INTERIOR, U.S. NATIONAL PARK SERVICE	)))))	PARTIAL ORDER OF DETERMINATION Water Right Claim 595

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

A. FINDINGS OF FACT

1. On April 30, 1997, the UNITED STATES DEPARTMENT OF INTERIOR, NATIONAL PARK SERVICE (USNPS) timely submitted a Statement and Proof of Claim (Claim 595) to the Oregon Water Resources Department (OWRD) pursuant to ORS Chapter 539 in the Klamath Basin Adjudication claiming a federal reserved water right under the Act of May 22, 1902, ch. 820, §1, 32 Stat. 202; the Act of Aug. 25, 1916, ch. 408, §2, 39 Stat. 535 (National Park Service Organic Act); the Act of May 14, 1932, ch 184, 47 Stat. 155; the U.S. DISTRICT COURT OF OREGON, FINAL JUDGMENT NO. CIV-424 (C.C. Yawkey, *et al.*, Dec. 5, 1940); the U.S. DISTRICT COURT OF OREGON, NO. CIV-785, JUDGMENT ON THE DECLARATION OF TAKING AND AMENDED DECLARATION OF TAKING (Gladstone Land and Timber Co., Jan. 30, 1942); Pub. L. No. 96-553, 94 Stat. 3255 (Dec. 19, 1980); and Pub.L. No. 97-250, 96 Stat. 709 (Sept. 8, 1982).

2. On October 1, 1999, the USNPS timely amended Claim 595 to show the claimed priority date for each subdivision of a reach.

3. On October 4, 1999, following investigation of the evidence submitted, the Adjudicator issued a Summary and Preliminary Evaluation of Claims (Preliminary Evaluation) stating the claim was approved.

4. On May 5, 2000, the Claimant, USNPS, timely filed Contest 3939 to the Preliminary Evaluation of Claim 595.

5. On May 8, 2000, WaterWatch of Oregon, Inc. timely filed Contest 3009 to the Claim and/or Preliminary Evaluation of Claim 595.

6. These matters were referred to the Office of Administrative Hearings for a contested case hearing. The Office of Administrative Hearings designated these matters and other like claims of the USNPS as Case 001.

7. On August 2, 2001, OWRD, the Claimants (USNPS) and the Contestant (WaterWatch) executed a STIPULATION (Settlement Agreement) which resolved the Contests 3009 and 3939 to Claim 595.

8. On August 2, 2001, the Claims 591-601 were withdrawn from the Office of Administrative Hearings pursuant to the Settlement Agreement.

9. As explained in the GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS the date of reservation is the priority date of a federal reserved water right. This claim has the following reservation date: December 19, 1980, based on PUB. L. NO. 96-553, 94 STAT. 3255.

B. DETERMINATION

1. The Settlement Agreement executed between OWRD, the Claimants (USNPS) and the Contestant (WaterWatch) is adopted and incorporated as if set forth fully herein.

2. The instream flows recognized pursuant to this claim are not additive to any other instream flows based on other water rights, permits or claims within the same stream reach or a portion of the same stream reach.

3. The combination of the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT. 202; the ACT OF AUG. 25, 1916, CH. 408, §2, 39 STAT. 535; PUB. L. NO. 96-553, 94 STAT. 3255 (Dec. 19, 1980 and PUB. L. NO. 97-250, 96 STAT. 709 (Sept. 8, 1982) are valid bases for this federal reserved water right claim, including the claimed purposes of use. The GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS are incorporated as if set forth fully herein.

4. Based on the file and record herein, IT IS ORDERED that Claim 595 is approved as set forth in the following Water Right Claim Description.

[Beginning of Water Right Claim Description]

CLAIM NO. 595

CLAIM MAP REFERENCE: USNPS MYLAR MAPS FILED 10-1-1999

CLAIMANT: UNITED STATES DEPARTMENT OF INTERIOR,
U.S. NATIONAL PARK SERVICE
1201 OAKRIDGE DR, SUITE 250
FORT COLLINS, CO 80525

SOURCE OF WATER:
POTHOLE CREEK WITHIN THE BOUNDARY OF CRATER LAKE NATIONAL PARK, tributary to the WILLIAMSON RIVER

PURPOSE OR USE:
PRESERVATION AND PROTECTION OF ALL NATURAL AND HISTORIC OBJECTS, TIMBER AND WILDLIFE, AND CONSERVATION OF SCENERY

RATE:
ALL NATURAL FLOW LESS THOSE AMOUNTS NEEDED FOR CRATER LAKE NATIONAL PARK OUT-OF-STREAM USES

PERIOD OF ALLOWED USE: JANUARY 1 – DECEMBER 31

DATE OF PRIORITY AND THE PLACE OF USE ARE LOCATED AS FOLLOWS:

MAINSTEM POTHOLE CREEK						
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**	**Approx River Mile***
December 19, 1980	Upper Reach Boundary	30 S	6 E	WM	27	1.1
	Lower Reach Boundary	30 S	6 E	WM	26	0.0

*River miles are measured upstream from the Crater Lake National Park boundary.

[End of Water Right Claim Description]

Dated at Salem, Oregon on March 7, 2013

Dwight French, Adjudicator
Klamath Basin General Stream Adjudication

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 the UNITED STATES DEPARTMENT OF INTERIOR, U.S. NATIONAL PARK SERVICE	)	PARTIAL ORDER OF DETERMINATION
	)	Water Right Claim 596

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

A. FINDINGS OF FACT

1. On April 30, 1997, the UNITED STATES DEPARTMENT OF INTERIOR, NATIONAL PARK SERVICE (USNPS) timely submitted a Statement and Proof of Claim (Claim 596) to the Oregon Water Resources Department (OWRD) pursuant to ORS Chapter 539 in the Klamath Basin Adjudication claiming a federal reserved water right under the Act of May 22, 1902, ch. 820, §1, 32 Stat. 202; the Act of Aug. 25, 1916, ch. 408, §2, 39 Stat. 535 (National Park Service Organic Act); the Act of May 14, 1932, ch 184, 47 Stat. 155; the U.S. DISTRICT COURT OF OREGON, FINAL JUDGMENT NO. CIV-424 (C.C. Yawkey, *et al.*, Dec. 5, 1940); the U.S. DISTRICT COURT OF OREGON, NO. CIV-785, JUDGMENT ON THE DECLARATION OF TAKING AND AMENDED DECLARATION OF TAKING (Gladstone Land and Timber Co., Jan. 30, 1942); Pub. L. No. 96-553, 94 Stat. 3255 (Dec. 19, 1980); and Pub.L. No. 97-250, 96 Stat. 709 (Sept. 8, 1982).

2. On October 1, 1999, the USNPS timely amended Claim 596 to show the claimed priority date for each subdivision of a reach.

3. On October 4, 1999, following investigation of the evidence submitted, the Adjudicator issued a Summary and Preliminary Evaluation of Claims (Preliminary Evaluation) stating the claim was approved.

4. On May 5, 2000, the Claimant, USNPS, timely filed Contest 3940 to the Preliminary Evaluation of Claim 596.

5. On May 8, 2000, WaterWatch of Oregon, Inc. timely filed Contest 3010 to the Claim and/or Preliminary Evaluation of Claim 596.

6. These matters were referred to the Office of Administrative Hearings for a contested case hearing. The Office of Administrative Hearings designated these matters and other like claims of the USNPS as Case 001.

7. On August 2, 2001, OWRD, the Claimants (USNPS) and the Contestant (WaterWatch) executed a STIPULATION (Settlement Agreement) which resolved the Contests 3010 and 3940 to Claim 596.

8. On August 2, 2001, the Claims 591-601 were withdrawn from the Office of Administrative Hearings pursuant to the Settlement Agreement.

9. As explained in the GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS the date of reservation is the priority date of a federal reserved water right. This claim has the following reservation dates: May, 22, 1902, based on the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT. 202; and December 19, 1980, based on PUB. L. NO. 96-553, 94 STAT. 3255.

B. DETERMINATION

1. The Settlement Agreement executed between OWRD, the Claimants (USNPS) and the Contestant (WaterWatch) is adopted and incorporated as if set forth fully herein.

2. The instream flows recognized pursuant to this claim are not additive to any other instream flows based on other water rights, permits or claims within the same stream reach or a portion of the same stream reach.

3. The combination of the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT. 202; the ACT OF AUG. 25, 1916, CH. 408, §2, 39 STAT. 535; PUB. L. NO. 96-553, 94 STAT. 3255 (Dec. 19, 1980); and PUB. L. NO. 97-250, 96 STAT. 709 (Sept. 8, 1982) are valid bases for this federal reserved water right claim, including the claimed purposes of use. The GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS are incorporated as if set forth fully herein.

4. Based on the file and record herein, IT IS ORDERED that Claim 596 is approved as set forth in the following Water Right Claim Description.

[Beginning of Water Right Claim Description]

CLAIM NO. 596

CLAIM MAP REFERENCE: USNPS MYLAR MAPS FILED 10-1-1999

CLAIMANT: UNITED STATES DEPARTMENT OF INTERIOR
U.S. NATIONAL PARK SERVICE
1201 OAKRIDGE DR, SUITE 250
FORT COLLINS, CO 80525

SOURCE OF WATER:

SAND CREEK AND ITS TRIBUTARIES WITHIN THE BOUNDARY OF CRATER LAKE NATIONAL PARK, tributary to the WILLIAMSON RIVER

PURPOSE OR USE:

PRESERVATION AND PROTECTION OF ALL NATURAL AND HISTORIC OBJECTS, TIMBER AND WILDLIFE, AND CONSERVATION OF SCENERY

RATE:

ALL NATURAL FLOW LESS THOSE AMOUNTS NEEDED FOR CRATER LAKE NATIONAL PARK OUT-OF-STREAM USES

PERIOD OF ALLOWED USE: JANUARY 1 – DECEMBER 31

DATE OF PRIORITY AND THE PLACE OF USE IS LOCATED AS FOLLOWS:

MAINSTEM SAND CREEK - REACH A								
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**	**Q-Q**		**Approx River Mile***
May 22, 1902	Upper Reach Boundary	30 S	6 E	WM	32		PB 43	9.0
	Lower Reach Boundary	31S	7.5 E	WM	28	SESE		1.9
MAINSTEM SAND CREEK - REACH B								
December 19, 1980	Upper Reach Boundary	31S	7.5 E	WM	28	SESE		1.9
	Lower Reach Boundary	31S	7.5 E	WM	35	SENW		0.0

*River miles are measured upstream from the Crater Lake National Park boundary.

CAVERN CREEK - REACH A							
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**	**Q-Q**	**Approx River Mile***
May 22, 1902	Upper Reach Boundary	31S	7.5 E	WM	8	NWNE	5.2
	Lower Reach Boundary	31S	7.5 E	WM	16	NESE	3.1
CAVERN CREEK - REACH B							
December 19, 1980	Upper Reach Boundary	31S	7.5 E	WM	16	NESE	3.1
	Lower Reach Boundary	31S	7.5 E	WM	34	NWNE	0.0

*River miles are measured upstream from the confluence with Sand Creek

UNNAMED TRIBUTARY "SAND-1, TRIBUTARY TO CAVERN CREEK								
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**	**Q-Q**		**Approx River Mile***
December 19, 1980	Upper Reach Boundary	31S	7.5 E	WM	22	NWNE	At the point where "Sand-1" enters the Park	0.8
	Lower Reach Boundary	31S	7.5 E	WM	22	SWSW		0.0

*River miles are measured upstream from the confluence of the tributary.

WHEELER CREEK - REACH A							
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**	**Q-Q**	**Approx River Mile***
May 22, 1902	Upper Reach Boundary	31 S	6 E	WM	11		6.4
	Lower Reach Boundary	31 S	7.5 E	WM	28	SESE	0.2
WHEELER CREEK - REACH B							
December 19, 1980	Upper Reach Boundary	31 S	7.5 E	WM	28	SESE	0.2
	Lower Reach Boundary	31 S	7.5 E	WM	28	SESE	0.0

*River miles are measured upstream from the confluence of Wheeler Creek with Sand Creek

LOST CREEK, TRIBUTARY TO WHEELER CREEK							
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**	**Q-Q**	**Approx River Mile***
May 22, 1902	Upper Reach Boundary	31 S	7.5 E	WM	18	NWSE	0.9
	Lower Reach Boundary	31 S	7.5 E	WM	20	NWSW	0.0

*River miles are measured upstream from the confluence of Lost Creek to Wheeler Creek

UNNAMED TRIBUTARY "SAND-2"								
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**	**Q-Q**		**Approx River Mile***
May 22, 1902	Upper Reach Boundary	31 S	7.5 E	WM	5	SWSW		2.5
	Lower Reach Boundary	31 S	7.5 E	WM	20	NWNW		0.0

*River miles are measured upstream from the confluence of Sand-2 with Sand Creek

UNNAMED TRIBUTARY "SAND-3"								
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**	**Q-Q**		**Approx River Mile***
December 19, 1980	Upper Reach Boundary	30 S	6 E	WM	31		PB 42	0.8
	Lower Reach Boundary	31 S	7.5 E	WM	6	NWSW		0.0

*River miles are measured upstream from the confluence of Sand-3 with Sand Creek

[End of Water Right Claim Description]

Dated at Salem, Oregon on March 7, 2013

Dwight French, Adjudicator
Klamath Basin General Stream Adjudication

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 the UNITED STATES DEPARTMENT OF INTERIOR, U.S. NATIONAL PARK SERVICE	)))))	PARTIAL ORDER OF DETERMINATION Water Right Claim 597

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

A. FINDINGS OF FACT

1. On April 30, 1997, the UNITED STATES DEPARTMENT OF INTERIOR, NATIONAL PARK SERVICE (USNPS) timely submitted a Statement and Proof of Claim (Claim 597) to the Oregon Water Resources Department (OWRD) pursuant to ORS Chapter 539 in the Klamath Basin Adjudication claiming a federal reserved water right under the Act of May 22, 1902, ch. 820, §1, 32 Stat. 202; the Act of Aug. 25, 1916, ch. 408, §2, 39 Stat. 535 (National Park Service Organic Act); the Act of May 14, 1932, ch 184, 47 Stat. 155; the U.S. DISTRICT COURT OF OREGON, FINAL JUDGMENT NO. CIV-424 (C.C. Yawkey, *et al.*, Dec. 5, 1940); the U.S. DISTRICT COURT OF OREGON, NO. CIV-785, JUDGMENT ON THE DECLARATION OF TAKING AND AMENDED DECLARATION OF TAKING (Gladstone Land and Timber Co., Jan. 30, 1942); Pub. L. No. 96-553, 94 Stat. 3255 (Dec. 19, 1980); and Pub.L. No. 97-250, 96 Stat. 709 (Sept. 8, 1982).

2. On October 1, 1999, the USNPS timely amended Claim 597 to show the claimed priority date for each subdivision of a reach.

3. On October 4, 1999, following investigation of the evidence submitted, the Adjudicator issued a Summary and Preliminary Evaluation of Claims (Preliminary Evaluation) stating the claim was approved.

4. On May 5, 2000, the Claimant, USNPS, timely filed Contest 3941 to the Preliminary Evaluation of Claim 597.

5. On May 8, 2000, WaterWatch of Oregon, Inc. timely filed Contest 3011 to the Claim and/or Preliminary Evaluation of Claim 597.

6. These matters were referred to the Office of Administrative Hearings for a contested case hearing. The Office of Administrative Hearings designated these matters and other like claims of the USNPS as Case 001.

7. On August 2, 2001, OWRD, the Claimants (USNPS) and the Contestant (WaterWatch) executed a STIPULATION (Settlement Agreement) which resolved the Contests 3011 and 3941 to Claim 597.

8. On August 2, 2001, the Claims 591-601 were withdrawn from the Office of Administrative Hearings pursuant to the Settlement Agreement.

9. As explained in the GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS the date of reservation is the priority date of a federal reserved water right. This claim has the following reservation dates: May, 22, 1902, based on the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT. 202; and December 19, 1980, based on PUB. L. NO. 96-553, 94 STAT. 3255.

B. DETERMINATION

1. The Settlement Agreement executed between OWRD, the Claimants (USNPS) and the Contestant (WaterWatch) is adopted and incorporated as if set forth fully herein.

2. The instream flows recognized pursuant to this claim are not additive to any other instream flows based on other water rights, permits or claims within the same stream reach or a portion of the same stream reach.

3. The combination of the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT. 202; the ACT OF AUG. 25, 1916, CH. 408, §2, 39 STAT. 535; PUB. L. NO. 96-553, 94 STAT. 3255 (Dec. 19, 1980); and PUB. L. NO. 97-250, 96 STAT. 709 (Sept. 8, 1982) are valid bases for this federal reserved water right claim, including the claimed purposes of use. The GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS are incorporated as if set forth fully herein.

4. Based on the file and record herein, IT IS ORDERED that Claim 597 is approved as set forth in the following Water Right Claim Description.

[Beginning of Water Right Claim Description]

CLAIM NO. 597

CLAIM MAP REFERENCE: USNPS MYLAR MAPS FILED 10-1-1999

CLAIMANT: UNITED STATES DEPARTMENT OF INTERIOR
U.S. NATIONAL PARK SERVICE
1201 OAKRIDGE DR, SUITE 250
FORT COLLINS, CO 80525

SOURCE OF WATER:
SCOTT CREEK WITHIN THE BOUNDARY OF CRATER LAKE NATIONAL PARK, tributary to the WILLIAMSON RIVER

PURPOSE OR USE:
PRESERVATION AND PROTECTION OF ALL NATURAL AND HISTORIC OBJECTS, TIMBER AND WILDLIFE, AND CONSERVATION OF SCENERY

RATE:
ALL NATURAL FLOW LESS THOSE AMOUNTS NEEDED FOR CRATER LAKE NATIONAL PARK OUT-OF-STREAM USES

PERIOD OF ALLOWED USE: JANUARY 1 – DECEMBER 31

DATE OF PRIORITY AND THE PLACE OF USE IS LOCATED AS FOLLOWS:

MAINSTEM SCOTT CREEK - REACH A							
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**	**Q-Q**	**Approx River Mile***
May 22, 1902	Upper Reach Boundary	31 S	7.5 E	WM	4	SWSE	0.7
	Lower Reach Boundary	31S	7.5 E	WM	4	SESE	0.6
MAINSTEM SCOTT CREEK - REACH B							
December 19, 1980	Upper Reach Boundary	31S	7.5 E	WM	4	SESE	0.6
	Lower Reach Boundary	31S	7.5 E	WM	10	SENW	0.0

*River miles are measured upstream from the Crater Lake National Park boundary.

[End of Water Right Claim Description]

Dated at Salem, Oregon on March 7, 2013

Dwight French, Adjudicator
Klamath Basin General Stream Adjudication

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 the UNITED STATES DEPARTMENT OF INTERIOR, U.S. NATIONAL PARK SERVICE	)))))	PARTIAL ORDER OF DETERMINATION Water Right Claim 598

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

A. FINDINGS OF FACT

1. On April 30, 1997, the UNITED STATES DEPARTMENT OF INTERIOR, NATIONAL PARK SERVICE (USNPS) timely submitted a Statement and Proof of Claim (Claim 598) to the Oregon Water Resources Department (OWRD) pursuant to ORS Chapter 539 in the Klamath Basin Adjudication claiming a federal reserved water right under the Act of May 22, 1902, ch. 820, §1, 32 Stat. 202; the Act of Aug. 25, 1916, ch. 408, §2, 39 Stat. 535 (National Park Service Organic Act); the Act of May 14, 1932, ch 184, 47 Stat. 155; the U.S. DISTRICT COURT OF OREGON, FINAL JUDGMENT NO. CIV-424 (C.C. Yawkey, *et al.*, Dec. 5, 1940); the U.S. DISTRICT COURT OF OREGON, NO. CIV-785, JUDGMENT ON THE DECLARATION OF TAKING AND AMENDED DECLARATION OF TAKING (Gladstone Land and Timber Co., Jan. 30, 1942); Pub. L. No. 96-553, 94 Stat. 3255 (Dec. 19, 1980); and Pub.L. No. 97-250, 96 Stat. 709 (Sept. 8, 1982).

2. On October 1, 1999, the USNPS timely amended Claim 598 to show the claimed priority date for each subdivision of a reach.

3. On October 4, 1999, following investigation of the evidence submitted, the Adjudicator issued a Summary and Preliminary Evaluation of Claims (Preliminary Evaluation) stating the claim was approved.

4. On May 5, 2000, the Claimant, USNPS, timely filed Contest 3942 to the Preliminary Evaluation of Claim 598.

5. On May 8, 2000, WaterWatch of Oregon, Inc. timely filed Contest 3012 to the Claim and/or Preliminary Evaluation of Claim 598.

6. These matters were referred to the Office of Administrative Hearings for a contested case hearing. The Office of Administrative Hearings designated these matters and other like claims of the USNPS as Case 001.

7. On August 2, 2001, OWRD, the Claimants (USNPS) and the Contestant (WaterWatch) executed a STIPULATION (Settlement Agreement) which resolved the Contests 3012 and 3942 to Claim 598.

8. On August 2, 2001, the Claims 591-601 were withdrawn from the Office of Administrative Hearings pursuant to the Settlement Agreement.

9. As explained in the GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS the date of reservation is the priority date of a federal reserved water right. This claim has the following reservation dates: May, 22, 1902, based on the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT. 202.

B. DETERMINATION

1. The Settlement Agreement executed between OWRD, the Claimants (USNPS) and the Contestant (WaterWatch) is adopted and incorporated as if set forth fully herein.

2. The instream flows recognized pursuant to this claim are not additive to any other instream flows based on other water rights, permits or claims within the same stream reach or a portion of the same stream reach.

3. The combination of the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT. 202; the ACT OF AUG. 25, 1916, CH. 408, §2, 39 STAT. 535; and PUB. L. NO. 97-250, 96 STAT. 709 (Sept. 8, 1982) are valid bases for this federal reserved water right claim, including the claimed purposes of use. The GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS are incorporated as if set forth fully herein.

4. Based on the file and record herein, IT IS ORDERED that Claim 598 is approved as set forth in the following Water Right Claim Description.

[Beginning of Water Right Claim Description]

CLAIM NO. 598

CLAIM MAP REFERENCE: USNPS MYLAR MAPS FILED 10-1-1999

CLAIMANT: UNITED STATES DEPARTMENT OF INTERIOR
U.S. NATIONAL PARK SERVICE
1201 OAKRIDGE DR, SUITE 250
FORT COLLINS, CO 80525

SOURCE OF WATER:
SILENT CREEK WITHIN THE BOUNDARY OF CRATER LAKE NATIONAL PARK, tributary to the WILLIAMSON RIVER

PURPOSE OR USE:
PRESERVATION AND PROTECTION OF ALL NATURAL AND HISTORIC OBJECTS, TIMBER AND WILDLIFE, AND CONSERVATION OF SCENERY

RATE:
ALL NATURAL FLOW LESS THOSE AMOUNTS NEEDED FOR CRATER LAKE NATIONAL PARK OUT-OF-STREAM USES

PERIOD OF ALLOWED USE: JANUARY 1 – DECEMBER 31

DATE OF PRIORITY AND THE PLACE OF USE IS LOCATED AS FOLLOWS:

MAINSTEM SILENT CREEK							
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**		**Approx River Mile***
May 22, 1902	Upper Reach Boundary	30 S	6 E	WM	17		2.2
	Lower Reach Boundary	30 S	6 E	WM	3	PB 39	0.0

*River miles are measured upstream from the Crater Lake National Park boundary.

[End of Water Right Claim Description]

Dated at Salem, Oregon on March 7, 2013

Dwight French, Adjudicator
Klamath Basin General Stream Adjudication

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 the UNITED STATES DEPARTMENT OF INTERIOR, U.S. NATIONAL PARK SERVICE	)))))	PARTIAL ORDER OF DETERMINATION Water Right Claim 599

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

A. FINDINGS OF FACT

1. On April 30, 1997, the UNITED STATES DEPARTMENT OF INTERIOR, NATIONAL PARK SERVICE (USNPS) timely submitted a Statement and Proof of Claim (Claim 599) to the Oregon Water Resources Department (OWRD) pursuant to ORS Chapter 539 in the Klamath Basin Adjudication claiming a federal reserved water right under the Act of May 22, 1902, ch. 820, §1, 32 Stat. 202; the Act of Aug. 25, 1916, ch. 408, §2, 39 Stat. 535 (National Park Service Organic Act); the Act of May 14, 1932, ch 184, 47 Stat. 155; the U.S. DISTRICT COURT OF OREGON, FINAL JUDGMENT NO. CIV-424 (C.C. Yawkey, *et al.*, Dec. 5, 1940); the U.S. DISTRICT COURT OF OREGON, NO. CIV-785, JUDGMENT ON THE DECLARATION OF TAKING AND AMENDED DECLARATION OF TAKING (Gladstone Land and Timber Co., Jan. 30, 1942); Pub. L. No. 96-553, 94 Stat. 3255 (Dec. 19, 1980); and Pub.L. No. 97-250, 96 Stat. 709 (Sept. 8, 1982).

2. On October 1, 1999, the USNPS timely amended Claim 599 to show the claimed priority date for each subdivision of a reach.

3. On October 4, 1999, following investigation of the evidence submitted, the Adjudicator issued a Summary and Preliminary Evaluation of Claims (Preliminary Evaluation) stating the claim was approved.

4. On May 5, 2000, the Claimant, USNPS, timely filed Contest 3943 to the Preliminary Evaluation of Claim 599.

5. On May 8, 2000, WaterWatch of Oregon, Inc. timely filed Contest 3013 to the Claim and/or Preliminary Evaluation of Claim 599.

6. On May 8, 2000, the following parties, hereinafter collectively referred to as "Nicholson *et al.*," filed Contest 3114 to the Claim and/or Preliminary Evaluation of Claim 599: Roger Nicholson; Roger Nicholson Cattle Co.[1]; Lloyd Nicholson Trust[2]; Dorothy Nicholson Trust[3]; Richard Nicholson; Jim McAuliffe and McAuliffe Ranches[4]; Maxine Kizer; Ambrose McAuliffe; Susan McAuliffe; Joe McAuliffe Company[5]; Kenneth L. Tuttle and Karen L. Tuttle dba Double K Ranch; Dave Wood; Kenneth Zamzow; Anita Nicholson[6]; Wm. S. Nicholson; John B. Owens; Kenneth Owens; Wm L. Brewer; Mary Jane Danforth; Jane M. Barnes; Franklin Lockwood Barnes, Jr.; Jacob D. Wood[7]; Elmore E. Nicholson; Mary Ann Nicholson; Gerald H. Hawkins, Hawkins Cattle Co.; Owens & Hawkins; Harlowe Ranch; Terry M. Bengard; Tom Bengard; and Dwight T. Mebane and Helen Mebane[8].

7. These matters were referred to the Office of Administrative Hearings for a contested case hearing. The Office of Administrative Hearings designated these matters and other like claims of the USNPS as Case 001.

8. On August 2, 2001, OWRD, the Claimants (USNPS) and the Contestants (WaterWatch, and Nicholson *et al.*) executed a STIPULATION (Settlement Agreement) which resolved the Contests 3013, 3114, and 3943 to Claim 599.

9. On August 2, 2001, the Claims 591-601 were withdrawn from the Office of Administrative Hearings pursuant to the Settlement Agreement.

10. As explained in the GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS the date of reservation is the priority date of a federal reserved water right. This claim has the following reservation dates: May, 22, 1902, based on the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT. 202 and December 5, 1940, based on U.S. DISTRICT COURT OF OREGON, FINAL JUDGMENT NO. CIV-424.

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[1] Agri Water, LLC, successor in interest to Roger Nicholson Cattle Co.

[2] Roger Nicholson and Richard Nicholson, successors in interest to Lloyd Nicholson Trust

[3] Roger Nicholson and Richard Nicholson, successors in interest to Dorothy Nicholson Trust

[4] Robinson Best, LLC, successors in interest to PCA Acquired Properties, LLC; PCA Acquired Properties, LLC, successors in interest to Farm Credit West, PCA; Farm Credit West, PCA, successors in interest to Dwight T. Mebane and Helen Mebane; Dwight T. Mebane and Helen Mebane, successors in interest to Jim McAuliffe and McAuliffe Ranches

[5] Robinson Best, LLC, successors in interest to PCA Acquired Properties, LLC; PCA Acquired Properties, LLC, successors in interest to Farm Credit West, PCA; Farm Credit West, PCA, successors in interest to Dwight T. Mebane and Helen Mebane; Dwight T. Mebane and Helen Mebane, successors in interest to Joe McAuliffe Company

[6] Nicholson Investments, LLC, successor in interest to Anita Nicholson

[7] On January 15, 2010, Jacob D. Wood voluntarily withdrew from Contest 3114. *See* NOTICE OF WITHDRAWAL OF CONTEST (Jan. 15, 2010).

[8] Robinson Best, LLC, successors in interest to PCA Acquired Properties, LLC; PCA Acquired Properties, LLC, successors in interest to Farm Credit West, PCA; Farm Credit West, PCA, successors in interest to Dwight T. Mebane and Helen Mebane; Sevenmile Creek Ranch, successor in partial interest to Dwight T. Mebane and Helen Mebane.

B. DETERMINATION

1. The Settlement Agreement executed between OWRD, the Claimants (USNPS) and the Contestants (WaterWatch, and Nicholson *et al.*) is adopted and incorporated as if set forth fully herein.

2. The instream flows recognized pursuant to this claim are not additive to any other instream flows based on other water rights, permits or claims within the same stream reach or a portion of the same stream reach.

3. The combination of the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT. 202; the ACT OF AUG. 25, 1916, CH. 408, §2, 39 STAT. 535; FINAL JUDGMENT NO. CIV-424 (Dec. 5, 1940); and PUB. L. NO. 97-250, 96 STAT. 709 (Sept. 8, 1982) are valid bases for this federal reserved water right claim, including the claimed purposes of use. The GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS are incorporated as if set forth fully herein.

4. Based on the file and record herein, IT IS ORDERED that Claim 599 is approved as set forth in the following Water Right Claim Description.

[Beginning of Water Right Claim Description]

CLAIM NO. 599

CLAIM MAP REFERENCE: USNPS MYLAR MAPS FILED 10-1-1999

CLAIMANT: UNITED STATES DEPARTMENT OF INTERIOR
U.S. NATIONAL PARK SERVICE
1201 OAKRIDGE DR, SUITE 250
FORT COLLINS, CO 80525

SOURCE OF WATER:
SUN CREEK AND ITS TRIBUTARIES WITHIN THE BOUNDARY OF CRATER LAKE NATIONAL PARK, tributary to ANNIE CREEK

PURPOSE OR USE:
PRESERVATION AND PROTECTION OF ALL NATURAL AND HISTORIC OBJECTS, TIMBER AND WILDLIFE, AND CONSERVATION OF SCENERY

RATE:
ALL NATURAL FLOW LESS THOSE AMOUNTS NEEDED FOR CRATER LAKE NATIONAL PARK OUT-OF-STREAM USES

PERIOD OF ALLOWED USE: JANUARY 1 – DECEMBER 31

DATE OF PRIORITY AND THE PLACE OF USE IS LOCATED AS FOLLOWS:

MAINSTEM SUN CREEK - REACH A							
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**	**Q-Q**	**Approx River Mile***
May 22, 1902	Upper Reach Boundary	31 S	6 E	WM	10		9.1
	Lower Reach Boundary	32 S	7.5 E	WM	6	NWSE	2.1
MAINSTEM SUN CREEK - REACH B							
December 5, 1940	Upper Reach Boundary	32 S	7.5 E	WM	6	NWSE	2.1
	Lower Reach Boundary	32 S	7.5 E	WM	17	NWNW	0.1
MAINSTEM SUN CREEK – REACH C							
May 22, 1902	Upper Reach Boundary	32 S	7.5 E	WM	17	NWNW	0.1
	Lower Reach Boundary	32 S	7.5 E	WM	17	SENW	0.0

*River miles are measured upstream from the Crater Lake National Park boundary.

VIDAE CREEK						
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**	**Approx River Mile***
May 22, 1902	Upper Reach Boundary	31 S	6 E	WM	15	0.7
	Lower Reach Boundary	31 S	6 E	WM	22	0.0

*River miles are measured upstream from the confluence of Vidae Creek with Sun Creek

[End of Water Right Claim Description]

Dated at Salem, Oregon on March 7, 2013

Dwight French, Adjudicator
Klamath Basin General Stream Adjudication

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 the UNITED STATES DEPARTMENT OF INTERIOR, U.S. NATIONAL PARK SERVICE	)	PARTIAL ORDER OF DETERMINATION
	)	Water Right Claim 600

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

A. FINDINGS OF FACT

1. On April 30, 1997, the UNITED STATES DEPARTMENT OF INTERIOR, NATIONAL PARK SERVICE (USNPS) timely submitted a Statement and Proof of Claim (Claim 600) to the Oregon Water Resources Department (OWRD) pursuant to ORS Chapter 539 in the Klamath Basin Adjudication claiming a federal reserved water right under the Act of May 22, 1902, ch. 820, §1, 32 Stat. 202; the Act of Aug. 25, 1916, ch. 408, §2, 39 Stat. 535 (National Park Service Organic Act); the Act of May 14, 1932, ch 184, 47 Stat. 155; the U.S. DISTRICT COURT OF OREGON, FINAL JUDGMENT NO. CIV-424 (C.C. Yawkey, *et al.*, Dec. 5, 1940); the U.S. DISTRICT COURT OF OREGON, NO. CIV-785, JUDGMENT ON THE DECLARATION OF TAKING AND AMENDED DECLARATION OF TAKING (Gladstone Land and Timber Co., Jan. 30, 1942); Pub. L. No. 96-553, 94 Stat. 3255 (Dec. 19, 1980); and Pub.L. No. 97-250, 96 Stat. 709 (Sept. 8, 1982).

2. On October 1, 1999, the USNPS timely amended Claim 600 to show the claimed priority date for each subdivision of a reach.

3. On October 4, 1999, following investigation of the evidence submitted, the Adjudicator issued a Summary and Preliminary Evaluation of Claims (Preliminary Evaluation) stating the claim was approved.

4. On May 5, 2000, the Claimant, USNPS, timely filed Contest 3944 to the Preliminary Evaluation of Claim 600.

5. On May 8, 2000, WaterWatch of Oregon, Inc. timely filed Contest 3014 to the Claim and/or Preliminary Evaluation of Claim 600.

6. These matters were referred to the Office of Administrative Hearings for a contested case hearing. The Office of Administrative Hearings designated these matters and other like claims of the USNPS as Case 001.

7. On August 2, 2001, OWRD, the Claimants (USNPS) and the Contestant (WaterWatch) executed a STIPULATION (Settlement Agreement) which resolved the Contests 3014 and 3944 to Claim 600.

8. On August 2, 2001, the Claims 591-601 were withdrawn from the Office of Administrative Hearings pursuant to the Settlement Agreement.

9. As explained in the GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS the date of reservation is the priority date of a federal reserved water right. This claim has the following reservation dates: May, 22, 1902, based on the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT. 202.

B. DETERMINATION

1. The Settlement Agreement executed between OWRD, the Claimants (USNPS) and the Contestant (WaterWatch) is adopted and incorporated as if set forth fully herein.

2. The instream flows recognized pursuant to this claim are not additive to any other instream flows based on other water rights, permits or claims within the same stream reach or a portion of the same stream reach.

3. The combination of the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT. 202; the ACT OF AUG. 25, 1916, CH. 408, §2, 39 STAT. 535; and PUB. L. NO. 97-250, 96 STAT. 709 (Sept. 8, 1982) are valid bases for this federal reserved water right claim, including the claimed purposes of use. The GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS are incorporated as if set forth fully herein.

4. Based on the file and record herein, IT IS ORDERED that Claim 600 is approved as set forth in the following Water Right Claim Description.

[Beginning of Water Right Claim Description]

CLAIM NO. 600

CLAIM MAP REFERENCE: USNPS MYLAR MAPS FILED 10-1-1999

CLAIMANT: UNITED STATES DEPARTMENT OF INTERIOR
U.S. NATIONAL PARK SERVICE
1201 OAKRIDGE DR, SUITE 250
FORT COLLINS, CO 80525

SOURCE OF WATER:
UNNAMED CREEK (NEAR ANNIE CREEK) WITHIN THE BOUNDARY OF CRATER LAKE NATIONAL PARK, tributary to the WOOD RIVER

PURPOSE OR USE:
PRESERVATION AND PROTECTION OF ALL NATURAL AND HISTORIC OBJECTS, TIMBER AND WILDLIFE, AND CONSERVATION OF SCENERY

RATE:
ALL NATURAL FLOW LESS THOSE AMOUNTS NEEDED FOR CRATER LAKE NATIONAL PARK OUT-OF-STREAM USES

PERIOD OF ALLOWED USE: JANUARY 1 – DECEMBER 31

DATE OF PRIORITY AND THE PLACE OF USE IS LOCATED AS FOLLOWS:

UNNAMED CREEK (NEAR ANNIE CREEK)							
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**		**Approx River Mile***
May 22, 1902	Upper Reach Boundary	31 S	6 E	WM	35		3.2
	Lower Reach Boundary	32 S	6 E	WM	13	PB 39	0.0

*River miles are measured upstream from the Crater Lake National Park boundary.

[End of Water Right Claim Description]

Dated at Salem, Oregon on March 7, 2013

Dwight French, Adjudicator
Klamath Basin General Stream Adjudication

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 the UNITED STATES DEPARTMENT OF INTERIOR, U.S. NATIONAL PARK SERVICE	)))))	PARTIAL ORDER OF DETERMINATION Water Right Claim 601

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

A. FINDINGS OF FACT

1. On April 30, 1997, the UNITED STATES DEPARTMENT OF INTERIOR, NATIONAL PARK SERVICE (USNPS) timely submitted a Statement and Proof of Claim (Claim 601) to the Oregon Water Resources Department (OWRD) pursuant to ORS Chapter 539 in the Klamath Basin Adjudication claiming a federal reserved water right under the Act of May 22, 1902, ch. 820, §1, 32 Stat. 202; the Act of Aug. 25, 1916, ch. 408, §2, 39 Stat. 535 (National Park Service Organic Act); the Act of May 14, 1932, ch 184, 47 Stat. 155; the U.S. DISTRICT COURT OF OREGON, FINAL JUDGMENT NO. CIV-424 (C.C. Yawkey, *et al.*, Dec. 5, 1940); the U.S. DISTRICT COURT OF OREGON, NO. CIV-785, JUDGMENT ON THE DECLARATION OF TAKING AND AMENDED DECLARATION OF TAKING (Gladstone Land and Timber Co., Jan. 30, 1942); Pub. L. No. 96-553, 94 Stat. 3255 (Dec. 19, 1980); and Pub.L. No. 97-250, 96 Stat. 709 (Sept. 8, 1982).

2. On October 1, 1999, the USNPS timely amended Claim 601 to show the claimed priority date for each subdivision of a reach.

3. On October 4, 1999, following investigation of the evidence submitted, the Adjudicator issued a Summary and Preliminary Evaluation of Claims (Preliminary Evaluation) stating the claim was approved.

4. On May 5, 2000, the Claimant, USNPS, timely filed Contest 3945 to the Preliminary Evaluation of Claim 601.

5. On May 8, 2000, WaterWatch of Oregon, Inc. timely filed Contest 3015 to the Claim and/or Preliminary Evaluation of Claim 601.

6. These matters were referred to the Office of Administrative Hearings for a contested case hearing. The Office of Administrative Hearings designated these matters and other like claims of the USNPS as Case 001.

7. On August 2, 2001, OWRD, the Claimants (USNPS) and the Contestant (WaterWatch) executed a STIPULATION (Settlement Agreement) which resolved the Contests 3015 and 3945 to Claim 601.

8. On August 2, 2001, the Claims 591-601 were withdrawn from the Office of Administrative Hearings pursuant to the Settlement Agreement.

9. As explained in the GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS the date of reservation is the priority date of a federal reserved water right. This claim has the following reservation date: December 19, 1980, based on PUB. L. NO. 96-553, 94 STAT. 3255.

B. DETERMINATION

1. The Settlement Agreement executed between OWRD, the Claimants (USNPS) and the Contestant (WaterWatch) is adopted and incorporated as if set forth fully herein.

2. The instream flows recognized pursuant to this claim are not additive to any other instream flows based on other water rights, permits or claims within the same stream reach or a portion of the same stream reach.

3. The combination of the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT. 202; the ACT OF AUG. 25, 1916, CH. 408, §2, 39 STAT. 535; PUB. L. NO. 96-553, 94 STAT. 3255 (Dec. 19, 1980); and PUB. L. NO. 97-250, 96 STAT. 709 (Sept. 8, 1982) are valid bases for this federal reserved water right claim, including the claimed purposes of use. The GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS are incorporated as if set forth fully herein.

4. Based on the file and record herein, IT IS ORDERED that Claim 601 is approved as set forth in the following Water Right Claim Description.

[Beginning of Water Right Claim Description]

CLAIM NO. 601

CLAIM MAP REFERENCE: USNPS MYLAR MAPS FILED 10-1-1999

CLAIMANT: UNITED STATES DEPARTMENT OF INTERIOR
U.S. NATIONAL PARK SERVICE
1201 OAKRIDGE DR, SUITE 250
FORT COLLINS, CO 80525

SOURCE OF WATER:
UNNAMED CREEK IN THE NORTHEAST CORNER OF CRATER LAKE NATIONAL PARK, tributary to the WILLIAMSON RIVER

PURPOSE OR USE:
PRESERVATION AND PROTECTION OF ALL NATURAL AND HISTORIC OBJECTS, TIMBER AND WILDLIFE, AND CONSERVATION OF SCENERY

RATE:
ALL NATURAL FLOW LESS THOSE AMOUNTS NEEDED FOR CRATER LAKE NATIONAL PARK OUT-OF-STREAM USES

PERIOD OF ALLOWED USE: JANUARY 1 – DECEMBER 31

DATE OF PRIORITY AND THE PLACE OF USE IS LOCATED AS FOLLOWS:

MAINSTEM UNNAMED CREEK (NE CORNER OF PARK)						
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**	**Approx River Mile***
December 19, 1980	Upper Reach Boundary	29 S	6 E	WM	6	2.2
	Lower Reach Boundary	29 S	6 E	WM	4	0.0

*River miles are measured upstream from the Crater Lake National Park boundary.

[End of Water Right Claim Description]

Dated at Salem, Oregon on March 7, 2013

Dwight French, Adjudicator
Klamath Basin General Stream Adjudication

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 UNITED STATES DEPARTMENT OF INTERIOR, U.S. NATIONAL PARK SERVICE	))))	PARTIAL ORDER OF DETERMINATION
		Water Right Claim 602

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 602 (Claimant: UNITED STATES DEPARTMENT OF INTERIOR, NATIONAL PARK SERVICE) and its associated contests (2729, 2734, 3115, 3698, 3946) were referred to the Office of Administrative Hearings for a contested case hearing which was designated as Case 001.

2. The Office of Administrative Hearings conducted contested case proceedings and ultimately issued an AMENDED PROPOSED ORDER for Claim 602 on March 26, 2002. A NOTICE OF *EX PARTE* CONTACT AND ORDER AMENDING PROPOSED ORDER was issued on April 17, 2002 to correct an error in Item 7, Appendix B at 8 (Claim 604). The AMENDED PROPOSED ORDER in conjunction with the NOTICE OF *EX PARTE* CONTACT AND ORDER AMENDING PROPOSED ORDER is herein referred to as the "Proposed Order."

3. No exceptions were filed to the Proposed Order within the exceptions filing deadline.

4. The Proposed Order is adopted and incorporated in its entirety as if set forth fully herein. In addition, a Water Right Claim Description in a format standardized by OWRD is set forth in Section B this Partial Order of Determination for Claim 602; the outcome of the Order is without modification.

B. DETERMINATION

1. The Proposed Order is adopted and incorporated in its entirety as if set forth fully herein.

2. The instream flows recognized pursuant to this claim are not additive to any other instream flows based on other water rights, permits or claims within the same stream reach or a portion of the same stream reach.

3. The combination of the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT. 202; the ACT OF AUG. 25, 1916, CH. 408, §2, 39 STAT. 535; the ACT OF MAY 14, 1932, CH 184, 47 STAT. 155; and PUB. L. NO. 97-250, 96 STAT. 709 (Sept. 8, 1982) are valid bases for this federal reserved water right claim, including the claimed purposes of use. The GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS are incorporated as if set forth fully herein.

4. The GENERAL CONCLUSIONS OF LAW CONCERNING ACQUIRED LANDS are incorporated as if set forth fully herein.

5. Claim 602 is approved for future points of diversions where the source of water is Annie Creek and its tributaries within the boundary of Crater Lake National Park; however, the overall rate of water approved in this claim may not be increased. The location of any new point of diversion must be within the reaches as described in March 26, 2002 Proposed Order, Appendix B, Section 8.2, Subsections 8.2.1 (Mainstem of Annie Creek), 8.2.2 (Unnamed Tributary "Annie-1"), 8.2.3 (East Fork of Annie Creek), 8.2.4 (Unnamed Tributary "Annie-2"), 8.2.5 (Unnamed Tributary "Annie-3"), 8.2.6 (Unnamed Tributary "Annie-4"), 8.2.7 (Middle Fork Annie Creek), 8.2.8 (Unnamed Tributary "Annie-5", 8.2.9 (Pole Bridge Creek), 8.2.10 (Munson Creek), 8.2.11 (Unnamed Tributary "Annie-6"), 8.2.12 (Goodbye Creek), and 8.2.13 (Unnamed Tributary "Annie-7").

6. Claim 602 is approved for future places of use for the purpose of domestic, administrative, wildlife watering, and/or fire protection uses within the boundaries of Crater Lake National Park as delineated in Appendix A Map (LAND RESERVATION DATES) of the March 26, 2002 Proposed Order. The priority date(s) for water use will be the priority date associated with the federal reservation of land serving as the place of use, being May 22, 1902; May 14, 1932; December 5, 1940; January 30, 1942; or December 19, 1980.

7. If new points of diversion or places of use are developed in the future, the National Park Service is required to submit a map(s) to OWRD showing the location(s) of any new point of diversion and or place of use by township, range, section and quarter-quarter. In addition, measured distances or coordinates must be provided on the map(s) for new point(s) of diversion. OWRD will record the new point(s) of diversion and/or places(s) of use and its associated priority date.

8. Based on the file and record herein, IT IS ORDERED that Claim 602 is approved as set forth in the following Water Right Claim Description.

[Beginning of Water Right Claim Description]

CLAIM NO. 602

CLAIM MAP REFERENCE:
CLAIM # 602 MYLAR MAP (Oct. 1, 1999) (EXHIBIT A, ANNIE CR WATER SUPPLY SYSTEM)

CLAIMANT: UNITED STATES DEPARTMENT OF INTERIOR
U.S. NATIONAL PARK SERVICE
1201 OAKRIDGE DR, SUITE 250
FORT COLLINS, CO 80525

SOURCE OF WATER:
ANNIE CREEK AND ITS TRIBUTARIES WITHIN THE BOUNDARY OF CRATER LAKE NATIONAL PARK, tributary to the WOOD RIVER

PURPOSE OR USE:
DOMESTIC, ADMINISTRATIVE, WILDLIFE WATERING, AND FIRE PROTECTION

RATE OF USE:
1.34 CUBIC FEET PER SECOND (CFS) AS FOLLOWS:

1.0 CFS FOR FIRE PROTECTION, AND

0.34 CFS FOR DOMESTIC, ADMINISTRATIVE AND WILDFIFE WATERING, NOT TO EXCEED 62.8 ACRE-FEET PER YEAR, BEING 62.7 ACRE-FEET FOR DOMESTIC AND ADMINISTATIVE PURPOSES; AND 0.1 ACRE-FEET FOR WILDLIFE WATERING

PERIOD OF ALLOWED USE: JANUARY 1 – DECEMBER 31

DATE OF PRIORITY: MAY 22, 1902

THE POINT OF DIVERSION IS LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q
31 S	5 E	WM	13	NE SE

THE PLACE OF USE IS LOCATED AS FOLLOWS:

DOMESTIC, ADMINISTRATIVE, WILDFIFE WATERING, FIRE PROTECTION			
Twp	**Rng**	**Mer**	**Sec**
31 S	5 E	WM	13
31 S	5 E	WM	24
31 S	6 E	WM	5
31 S	6 E	WM	8
31 S	6 E	WM	9
31 S	6 E	WM	17
31 S	6 E	WM	19
31 S	6 E	WM	30

FUTURE POINT(S) OF DIVERSION AND/OR FUTURE PLACE(S) OF USE:

THE SOURCE OF WATER MUST BE ANNIE CREEK AND ITS TRIBUTARIES WITHIN THE BOUNDARY OF CRATER LAKE NATIONAL PARK.

THE RATE FOR CURRENT AND FUTURE USES MAY NOT EXCEED 1.34 CUBIC FEET PER SECOND (CFS) AS FOLLOWS:

1.0 CFS FOR FIRE PROTECTION, AND

0.34 CFS FOR DOMESTIC, ADMINISTRATIVE AND WILDFIFE WATERING, NOT TO EXCEED 62.8 ACRE-FEET PER YEAR, BEING 62.7 ACRE-FEET FOR DOMESTIC AND ADMINISTATIVE PURPOSES; AND 0.1 ACRE-FEET FOR WILDLIFE WATERING.

THE LOCATION OF ANY NEW POINT OF DIVERSION MUST BE WITHIN THE REACHES AS DESCRIBED IN MARCH 26, 2002 PROPOSED ORDER, APPENDIX B, CLAIM 602, SECTION 8.2:

Subsection 8.2.1

MAIN STEM ANNIE CREEK						
	Twp	**Rng**	**Mer**	**Sec**		**Approx River Mile***
Upper Reach Boundary	31 S	5 E	WM	13	At Annie Springs	11.4
Lower Reach Boundary	32 S	6 E	WM	25	PB 58	0.0

*River miles are measured upstream from the Crater Lake National Park boundary.

Subsection 8.2.2

UNNAMED TRIBUTARY "ANNIE-1"					
	Twp	**Rng**	**Mer**	**Sec**	**Approx River Mile***
Upper Reach Boundary	32 S	6 E	WM	3	0.6
Lower Reach Boundary	32 S	6 E	WM	10	0.0

* River miles are measured upstream from the confluence of Annie-1 with Annie Creek

Subsection 8.2.3

EAST FORK OF ANNIE CREEK					
	Twp	**Rng**	**Mer**	**Sec**	**Approx River Mile***
Upper Reach Boundary	31 S	6 E	WM	15	4.9
Lower Reach Boundary	32 S	6 E	WM	4	0.0

* River miles are measured upstream from the confluence of the East Fork with Annie Creek

Subsection 8.2.4

UNNAMED TRIBUTARY "ANNIE-2," TRIBUTARY TO EAST FORK OF ANNIE CREEK					
	Twp	**Rng**	**Mer**	**Sec**	**Approx River Mile***
Upper Reach Boundary	31 S	6 E	WM	27	1
Lower Reach Boundary	31 S	6 E	WM	28	0.0

* River miles are measured upstream from the confluence with the tributary.

Subsection 8.2.5

UNNAMED TRIBUTARY "ANNIE-3," TRIBUTARY TO EAST FORK OF ANNIE CREEK					
	Twp	**Rng**	**Mer**	**Sec**	**Approx River Mile***
Upper Reach Boundary	31 S	6 E	WM	15	1.9
Lower Reach Boundary	31 S	6 E	WM	28	0.0

* River miles are measured upstream from the confluence with the tributary.

Subsection 8.2.6

UNNAMED TRIBUTARY "ANNIE-4"					
	Twp	**Rng**	**Mer**	**Sec**	**Approx River Mile***
Upper Reach Boundary	32 S	5 E	WM	1	3.3
Lower Reach Boundary	32 S	6 E	WM	4	0.0

* River miles are measured upstream from the confluence of Annie-4 with Annie Creek

Subsection 8.2.7

MIDDLE FORK OF ANNIE CREEK					
	Twp	**Rng**	**Mer**	**Sec**	**Approx River Mile***
Upper Reach Boundary	31 S	6 E	WM	21	2.7
Lower Reach Boundary	31 S	6 E	WM	33	0.0

* River miles are measured upstream from the confluence of the Middle Fork with Annie Creek

Subsection 8.2.8

UNNAMED TRIBUTARY "ANNIE-5," TRIBUTARY TO MIDDLE FORK OF ANNIE CREEK					
	Twp	**Rng**	**Mer**	**Sec**	**Approx River Mile***
Upper Reach Boundary	31 S	6 E	WM	20	0.6
Lower Reach Boundary	31 S	6 E	WM	28	0.0

* River miles are measured upstream from the confluence with the tributary.

Subsection 8.2.9

POLE BRIDGE CREEK					
	Twp	**Rng**	**Mer**	**Sec**	**Approx River Mile***
Upper Reach Boundary	31 S	5 E	WM	36	1.9
Lower Reach Boundary	31 S	6 E	WM	32	0.0

* River miles are measured upstream from the confluence of Pole Bridge with Annie Creek

Subsection 8.2.10

MUNSON CREEK					
	Twp	**Rng**	**Mer**	**Sec**	**Approx River Mile***
Upper Reach Boundary	31 S	6 E	WM	8	4.3
Lower Reach Boundary	31 S	6 E	WM	29	0.0

* River miles are measured upstream from the confluence Munson Creek with Annie Creek

Subsection 8.2.11

UNNAMED TRIBUTARY "ANNIE-6," TRIBUTARY TO MUNSON CREEK					
	Twp	Rng	Mer	Sec	Approx River Mile*
Upper Reach Boundary	31 S	6 E	WM	9	0.9
Lower Reach Boundary	31 S	6 E	WM	17	0.0

* River miles are measured upstream from the confluence with the tributary.

Subsection 8.2.12

GOODBYE CREEK					
	Twp	Rng	Mer	Sec	Approx River Mile*
Upper Reach Boundary	31 S	6 E	WM	17	1.4
Lower Reach Boundary	31 S	6 E	WM	30	0.0

* River miles are measured upstream from the confluence of Goodbye Creek with Annie Creek

Subsection 8.2.13

UNNAMED TRIBUTARY "ANNIE-7," TRIBUTARY TO GOODBYE CREEK					
	Twp	Rng	Mer	Sec	Approx River Mile*
Upper Reach Boundary	31 S	6 E	WM	20	1.2
Lower Reach Boundary	31 S	6 E	WM	30	0.0

* River miles are measured upstream from the confluence with the tributary.

THE PLACE(S) OF USE MUST BE WITHIN THE BOUNDARIES OF CRATER LAKE NATIONAL PARK AS DELINEATED IN APPENDIX A OF THE MARCH 26, 2002 PROPOSED ORDER.

THE PRIORITY DATE(S) FOR WATER USE WILL BE THE PRIORITY DATE ASSOCIATED WITH THE FEDERAL RESERVATION OF LAND SERVING AS THE PLACE OF USE, BEING MAY 22, 1902; MAY 14, 1932; DECEMBER 5, 1940; JANUARY 30, 1942; OR DECEMBER 19, 1980.

THE NATIONAL PARK SERVICE IS REQUIRED TO SUBMIT A MAP(S) TO OWRD SHOWING THE LOCATION(S) OF ANY NEW POINT OF DIVERSION AND OR PLACE OF USE BY TOWNSHIP, RANGE, SECTION AND QUARTER-QUARTER. IN ADDITION, MEASURED DISTANCES OR COORDINATES MUST BE PROVIDED ON THE MAP(S) FOR NEW POINT(S) OF DIVERSION. OWRD WILL RECORD THE NEW POINT(S) OF DIVERSION AND/OR PLACES(S) OF USE AND ITS ASSOCIATED PRIORITY DATE.

[End of Water Right Claim Description]

Dated at Salem, Oregon on March 7, 2013

Dwight French, Adjudicator
Klamath Basin General Stream Adjudication

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 UNITED STATES DEPARTMENT OF INTERIOR, U.S. NATIONAL PARK SERVICE	))))	PARTIAL ORDER OF DETERMINATION
		Water Right Claim 603

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 603 (Claimant: UNITED STATES DEPARTMENT OF INTERIOR, NATIONAL PARK SERVICE) and its associated contests (3699, 3947) were referred to the Office of Administrative Hearings for a contested case hearing which was designated as Case 001.

2. The Office of Administrative Hearings conducted contested case proceedings and ultimately issued an AMENDED PROPOSED ORDER for Claim 603 on March 26, 2002. A NOTICE OF *EX PARTE* CONTACT AND ORDER AMENDING PROPOSED ORDER was issued on April 17, 2002 to correct an error in Item 7, Appendix B at 8 (Claim 604). The AMENDED PROPOSED ORDER in conjunction with the NOTICE OF *EX PARTE* CONTACT AND ORDER AMENDING PROPOSED ORDER is herein referred to as the "Proposed Order."

3. No exceptions were filed to the Proposed Order within the exceptions filing deadline.

4. The Proposed Order is adopted and incorporated in its entirety as if set forth fully herein. In addition, a Water Right Claim Description in a format standardized by OWRD is set forth in Section B this Partial Order of Determination for Claim 603; the outcome of the Order is without modification.

B. DETERMINATION

1. The Proposed Order is adopted and incorporated in its entirety as if set forth fully herein.

2. The instream flows recognized pursuant to this claim are not additive to any other instream flows based on other water rights, permits or claims within the same stream reach or a portion of the same stream reach.

3. The combination of the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT. 202; the ACT OF AUG. 25, 1916, CH. 408, §2, 39 STAT. 535; PUB. L. NO. 96-553, 94 STAT. 3255 (Dec. 19, 1980); and PUB. L. NO. 97-250, 96 STAT. 709 (Sept. 8, 1982) are valid bases for this federal reserved water right claim, including the claimed purposes of use. The GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS are incorporated as if set forth fully herein.

4. The GENERAL CONCLUSIONS OF LAW CONCERNING ACQUIRED LANDS are incorporated as if set forth fully herein.

5. Claim 603 is approved for future points of diversions where the source of water is Bear Creek within the boundary of Crater Lake National Park; however, the overall rate of water approved in this claim may not be increased. The location of any new point of diversion must be within the reaches as described in March 26, 2002 Proposed Order, Appendix B.

6. Claim 603 is approved for future places of use for the purpose of domestic, administrative, wildlife watering, and/or fire protection uses within the boundaries of Crater Lake National Park as delineated in Appendix A Map (LAND RESERVATION DATES) of the March 26, 2002 Proposed Order. The priority date(s) for water use will be the priority date associated with the federal reservation of land serving as the place of use, being May 22, 1902; May 14, 1932; December 5, 1940; January 30, 1942; or December 19, 1980.

7. If new points of diversion or places of use are developed in the future, the National Park Service is required to submit a map(s) to OWRD showing the location(s) of any new point of diversion and or place of use by township, range, section and quarter-quarter. In addition, measured distances or coordinates must be provided on the map(s) for new point(s) of diversion. OWRD will record the new point(s) of diversion and/or places(s) of use and its associated priority date.

8. Based on the file and record herein, IT IS ORDERED that Claim 603 is approved as set forth in the following Water Right Claim Description.

[Beginning of Water Right Claim Description]

CLAIM NO. 603

CLAIM MAP REFERENCE:
CLAIM # 603 MYLAR MAP (Oct. 1, 1999)

CLAIMANT: UNITED STATES DEPARTMENT OF INTERIOR
U.S. NATIONAL PARK SERVICE
1201 OAKRIDGE DR, SUITE 250
FORT COLLINS, CO 80525

SOURCE OF WATER:
BEAR CREEK WITHIN THE BOUNDARY OF CRATER LAKE NATIONAL PARK, tributary to the ANTELOPE DESERT

PURPOSE OR USE:

DOMESTIC, ADMINISTRATIVE, WILDLIFE WATERING, AND FIRE PROTECTION

QUANTITY:

1.0 CUBIC FOOT PER SECOND FOR FIRE PROTECTION, AND

0.1 ACRE-FOOT FOR DOMESTIC, ADMINISTRATIVE AND WILDFIFE WATERING

PERIOD OF ALLOWED USE: JANUARY 1 – DECEMBER 31

FUTURE POINT(S) OF DIVERSION AND/OR FUTURE PLACE(S) OF USE:

THE LOCATION OF ANY NEW POINT OF DIVERSION MUST BE WITHIN THE REACHES AS DESCRIBED IN MARCH 26, 2002 PROPOSED ORDER, APPENDIX B, CLAIM 603, SECTION 8.1:

MAINSTEM BEAR CREEK					
	Twp	**Rng**	**Mer**	**Sec**	**Approx River Mile***
Upper Reach Boundary	30 S	6 E	WM	30	4.2
Lower Reach Boundary	30 S	6 E	WM	15	0.0

*River miles are measured upstream from the Crater Lake National Park boundary.

THE PLACE(S) OF USE MUST BE WITHIN THE BOUNDARIES OF CRATER LAKE NATIONAL PARK AS DELINEATED IN APPENDIX A OF THE MARCH 26, 2002 PROPOSED ORDER.

THE PRIORITY DATE(S) FOR WATER USE WILL BE THE PRIORITY DATE ASSOCIATED WITH THE FEDERAL RESERVATION OF LAND SERVING AS THE PLACE OF USE, BEING MAY 22, 1902; MAY 14, 1932; DECEMBER 5, 1940; JANUARY 30, 1942; OR DECEMBER 19, 1980.

THE NATIONAL PARK SERVICE IS REQUIRED TO SUBMIT A MAP(S) TO OWRD SHOWING THE LOCATION(S) OF ANY NEW POINT OF DIVERSION AND OR PLACE OF USE BY TOWNSHIP, RANGE, SECTION AND QUARTER-QUARTER. IN ADDITION, MEASURED DISTANCES OR COORDINATES MUST BE PROVIDED ON THE MAP(S) FOR NEW POINT(S) OF DIVERSION. OWRD WILL RECORD THE NEW POINT(S) OF DIVERSION AND/OR PLACES(S) OF USE AND ITS ASSOCIATED PRIORITY DATE.

[End of Water Right Claim Description]

Dated at Salem, Oregon on March 7, 2013

Dwight French, Adjudicator
Klamath Basin General Stream Adjudication

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 UNITED STATES DEPARTMENT OF INTERIOR, U.S. NATIONAL PARK SERVICE	))))	PARTIAL ORDER OF DETERMINATION
		Water Right Claim 604

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 604 (Claimant: UNITED STATES DEPARTMENT OF INTERIOR, NATIONAL PARK SERVICE) and its associated contests (3700, 3948) were referred to the Office of Administrative Hearings for a contested case hearing which was designated as Case 001.

2. The Office of Administrative Hearings conducted contested case proceedings and ultimately issued an AMENDED PROPOSED ORDER for Claim 604 on March 26, 2002. A NOTICE OF *EX PARTE* CONTACT AND ORDER AMENDING PROPOSED ORDER was issued on April 17, 2002 to correct an error in Item 7, Appendix B at 8 (Claim 604). The AMENDED PROPOSED ORDER in conjunction with the NOTICE OF *EX PARTE* CONTACT AND ORDER AMENDING PROPOSED ORDER is herein referred to as the "Proposed Order."

3. No exceptions were filed to the Proposed Order within the exceptions filing deadline.

4. The Proposed Order is adopted and incorporated in its entirety as if set forth fully herein. In addition, a Water Right Claim Description in a format standardized by OWRD is set forth in Section B this Partial Order of Determination for Claim 604; the outcome of the Order is without modification.

B. DETERMINATION

1. The Proposed Order is adopted and incorporated in its entirety as if set forth fully herein.

2. The instream flows recognized pursuant to this claim are not additive to any other instream flows based on other water rights, permits or claims within the same stream reach or a portion of the same stream reach.

3. The combination of the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT. 202; the ACT OF AUG. 25, 1916, CH. 408, §2, 39 STAT. 535; and PUB. L. NO. 97-250, 96 STAT. 709 (Sept. 8, 1982) are valid bases for this federal reserved water right claim, including the claimed purposes of use. The GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS are incorporated as if set forth fully herein.

4. The GENERAL CONCLUSIONS OF LAW CONCERNING ACQUIRED LANDS are incorporated as if set forth fully herein.

5. Claim 604 is approved for future points of diversions where the source of water is Desert Creek within the boundary of Crater Lake National Park; however, the overall rate of water approved in this claim may not be increased. The location of any new point of diversion must be within the reaches as described in March 26, 2002 Proposed Order, Appendix B.

6. Claim 604 is approved for future places of use for the purpose of domestic, administrative, wildlife watering, and/or fire protection uses within the boundaries of Crater Lake National Park as delineated in Appendix A Map (LAND RESERVATION DATES) of the March 26, 2002 Proposed Order. The priority date(s) for water use will be the priority date associated with the federal reservation of land serving as the place of use, being May 22, 1902; May 14, 1932; December 5, 1940; January 30, 1942; or December 19, 1980.

7. If new points of diversion or places of use are developed in the future, the National Park Service is required to submit a map(s) to OWRD showing the location(s) of any new point of diversion and or place of use by township, range, section and quarter-quarter. In addition, measured distances or coordinates must be provided on the map(s) for new point(s) of diversion. OWRD will record the new point(s) of diversion and/or places(s) of use and its associated priority date.

8. Based on the file and record herein, IT IS ORDERED that Claim 604 is approved as set forth in the following Water Right Claim Description.

[Beginning of Water Right Claim Description]

CLAIM NO. 604

CLAIM MAP REFERENCE:
CLAIM # 604 MYLAR MAP (Oct. 1, 1999)

CLAIMANT: UNITED STATES DEPARTMENT OF INTERIOR
U.S. NATIONAL PARK SERVICE
1201 OAKRIDGE DR, SUITE 250
FORT COLLINS, CO 80525

SOURCE OF WATER:
DESERT CREEK WITHIN THE BOUNDARY OF CRATER LAKE NATIONAL PARK, tributary to the WILLIAMSON RIVER

PURPOSE OR USE:

DOMESTIC, ADMINISTRATIVE, WILDLIFE WATERING, AND FIRE PROTECTION

QUANTITY:

1.0 CUBIC FOOT PER SECOND FOR FIRE PROTECTION, AND

0.1 ACRE-FOOT FOR DOMESTIC, ADMINISTRATIVE AND WILDFIFE WATERING

PERIOD OF ALLOWED USE: JANUARY 1 – DECEMBER 31

FUTURE POINT(S) OF DIVERSION AND/OR FUTURE PLACE(S) OF USE

THE LOCATION OF ANY NEW POINT OF DIVERSION MUST BE WITHIN THE REACHES AS DESCRIBED IN MARCH 26, 2002 PROPOSED ORDER, APPENDIX B, CLAIM 604, SECTION 8.1:

MAINSTEM DESERT CREEK					
	Twp	Rng	Mer	Sec	Approx River Mile*
Upper Reach Boundary	29 S	6 E	WM	32	1.5
Lower Reach Boundary	29 S	6 E	WM	PB 53	0.0

*River miles are measured upstream from the Crater Lake National Park boundary.

THE PLACE(S) OF USE MUST BE WITHIN THE BOUNDARIES OF CRATER LAKE NATIONAL PARK AS DELINEATED IN APPENDIX A OF THE MARCH 26, 2002 PROPOSED ORDER.

THE PRIORITY DATE(S) FOR WATER USE WILL BE THE PRIORITY DATE ASSOCIATED WITH THE FEDERAL RESERVATION OF LAND SERVING AS THE PLACE OF USE, BEING MAY 22, 1902; MAY 14, 1932; DECEMBER 5, 1940; JANUARY 30, 1942; OR DECEMBER 19, 1980.

THE NATIONAL PARK SERVICE IS REQUIRED TO SUBMIT A MAP(S) TO OWRD SHOWING THE LOCATION(S) OF ANY NEW POINT OF DIVERSION AND OR PLACE OF USE BY TOWNSHIP, RANGE, SECTION AND QUARTER-QUARTER. IN ADDITION, MEASURED DISTANCES OR COORDINATES MUST BE PROVIDED ON THE MAP(S) FOR NEW POINT(S) OF DIVERSION. OWRD WILL RECORD THE NEW POINT(S) OF DIVERSION AND/OR PLACES(S) OF USE AND ITS ASSOCIATED PRIORITY DATE.

[End of Water Right Claim Description]

Dated at Salem, Oregon on March 7, 2013

Dwight French, Adjudicator
Klamath Basin General Stream Adjudication

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 UNITED STATES DEPARTMENT OF INTERIOR, U.S. NATIONAL PARK SERVICE	))))	PARTIAL ORDER OF DETERMINATION
		Water Right Claim 605

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 605 (Claimant: UNITED STATES DEPARTMENT OF INTERIOR, NATIONAL PARK SERVICE) and its associated contests (3701, 3949) were referred to the Office of Administrative Hearings for a contested case hearing which was designated as Case 001.

2. The Office of Administrative Hearings conducted contested case proceedings and ultimately issued an AMENDED PROPOSED ORDER for Claim 605 on March 26, 2002. A NOTICE OF *EX PARTE* CONTACT AND ORDER AMENDING PROPOSED ORDER was issued on April 17, 2002 to correct an error in Item 7, Appendix B at 8 (Claim 604). The AMENDED PROPOSED ORDER in conjunction with the NOTICE OF *EX PARTE* CONTACT AND ORDER AMENDING PROPOSED ORDER is herein referred to as the "Proposed Order."

3. No exceptions were filed to the Proposed Order within the exceptions filing deadline.

4. The Proposed Order is adopted and incorporated in its entirety as if set forth fully herein. In addition, a Water Right Claim Description in a format standardized by OWRD is set forth in Section B this Partial Order of Determination for Claim 605; the outcome of the Order is without modification.

B. DETERMINATION

1. The Proposed Order is adopted and incorporated in its entirety as if set forth fully herein.

2. The instream flows recognized pursuant to this claim are not additive to any other instream flows based on other water rights, permits or claims within the same stream reach or a portion of the same stream reach.

3. The combination of the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT. 202; the ACT OF AUG. 25, 1916, CH. 408, §2, 39 STAT. 535; PUB. L. NO. 96-553, 94 STAT. 3255 (Dec. 19, 1980 and PUB. L. NO. 97-250, 96 STAT. 709 (Sept. 8, 1982) are valid bases for this federal reserved water right claim, including the claimed purposes of use. The GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS are incorporated as if set forth fully herein.

4. The GENERAL CONCLUSIONS OF LAW CONCERNING ACQUIRED LANDS are incorporated as if set forth fully herein.

5. Claim 605 is approved for future points of diversions where the source of water is Pothole Creek within the boundary of Crater Lake National Park; however, the overall rate of water approved in this claim may not be increased. The location of any new point of diversion must be within the reaches as described in March 26, 2002 Proposed Order, Appendix B.

6. Claim 605 is approved for future places of use for the purpose of domestic, administrative, wildlife watering, and/or fire protection uses within the boundaries of Crater Lake National Park as delineated in Appendix A Map (LAND RESERVATION DATES) of the March 26, 2002 Proposed Order. The priority date(s) for water use will be the priority date associated with the federal reservation of land serving as the place of use, being May 22, 1902; May 14, 1932; December 5, 1940; January 30, 1942; or December 19, 1980.

7. If new points of diversion or places of use are developed in the future, the National Park Service is required to submit a map(s) to OWRD showing the location(s) of any new point of diversion and or place of use by township, range, section and quarter-quarter. In addition, measured distances or coordinates must be provided on the map(s) for new point(s) of diversion. OWRD will record the new point(s) of diversion and/or places(s) of use and its associated priority date.

8. Based on the file and record herein, IT IS ORDERED that Claim 605 is approved as set forth in the following Water Right Claim Description.

[Beginning of Water Right Claim Description]

CLAIM NO. 605

CLAIM MAP REFERENCE:
CLAIM # 605 MYLAR MAP (Oct. 1, 1999)

CLAIMANT: UNITED STATES DEPARTMENT OF INTERIOR
U.S. NATIONAL PARK SERVICE
1201 OAKRIDGE DR, SUITE 250
FORT COLLINS, CO 80525

SOURCE OF WATER:

POTHOLE CREEK WITHIN THE BOUNDARY OF CRATER LAKE NATIONAL PARK, tributary to the WILLIAMSON RIVER

PURPOSE OR USE:

DOMESTIC, ADMINISTRATIVE, WILDLIFE WATERING, AND FIRE PROTECTION

QUANTITY:

1.0 CUBIC FOOT PER SECOND FOR FIRE PROTECTION, AND

0.1 ACRE-FOOT FOR DOMESTIC, ADMINISTRATIVE AND WILDFIFE WATERING

PERIOD OF ALLOWED USE: JANUARY 1 – DECEMBER 31

FUTURE POINT(S) OF DIVERSION AND/OR FUTURE PLACE(S) OF USE:

THE LOCATION OF ANY NEW POINT OF DIVERSION MUST BE WITHIN THE REACHES AS DESCRIBED IN MARCH 26, 2002 PROPOSED ORDER, APPENDIX B, CLAIM 605, SECTION 8.1:

MAINSTEM POTHOLE CREEK					
	Twp	Rng	Mer	Sec	Approx River Mile*
Upper Reach Boundary	30 S	6 E	WM	27	1.1
Lower Reach Boundary	30 S	6 E	WM	26	0.0

*River miles are measured upstream from the Crater Lake National Park boundary.

THE PLACE(S) OF USE MUST BE WITHIN THE BOUNDARIES OF CRATER LAKE NATIONAL PARK AS DELINEATED IN APPENDIX A OF THE MARCH 26, 2002 PROPOSED ORDER.

THE PRIORITY DATE(S) FOR WATER USE WILL BE THE PRIORITY DATE ASSOCIATED WITH THE FEDERAL RESERVATION OF LAND SERVING AS THE PLACE OF USE, BEING MAY 22, 1902; MAY 14, 1932; DECEMBER 5, 1940; JANUARY 30, 1942; OR DECEMBER 19, 1980.

THE NATIONAL PARK SERVICE IS REQUIRED TO SUBMIT A MAP(S) TO OWRD SHOWING THE LOCATION(S) OF ANY NEW POINT OF DIVERSION AND OR PLACE OF USE BY TOWNSHIP, RANGE, SECTION AND QUARTER-QUARTER. IN ADDITION, MEASURED DISTANCES OR COORDINATES MUST BE PROVIDED ON THE MAP(S) FOR NEW POINT(S) OF DIVERSION. OWRD WILL RECORD THE NEW POINT(S) OF DIVERSION AND/OR PLACES(S) OF USE AND ITS ASSOCIATED PRIORITY DATE.

[End of Water Right Claim Description]

Dated at Salem, Oregon on March 7, 2013

Dwight French, Adjudicator
Klamath Basin General Stream Adjudication

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 UNITED STATES DEPARTMENT OF INTERIOR, U.S. NATIONAL PARK SERVICE	))))	PARTIAL ORDER OF DETERMINATION
		Water Right Claim 606

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 606 (Claimant: UNITED STATES DEPARTMENT OF INTERIOR, NATIONAL PARK SERVICE) and its associated contests (3702, 3950) were referred to the Office of Administrative Hearings for a contested case hearing which was designated as Case 001.

2. The Office of Administrative Hearings conducted contested case proceedings and ultimately issued an AMENDED PROPOSED ORDER for Claim 606 on March 26, 2002. A NOTICE OF *EX PARTE* CONTACT AND ORDER AMENDING PROPOSED ORDER was issued on April 17, 2002 to correct an error in Item 7, Appendix B at 8 (Claim 604). The AMENDED PROPOSED ORDER in conjunction with the NOTICE OF *EX PARTE* CONTACT AND ORDER AMENDING PROPOSED ORDER is herein referred to as the "Proposed Order."

3. No exceptions were filed to the Proposed Order within the exceptions filing deadline.

4. The Proposed Order is adopted and incorporated in its entirety as if set forth fully herein. In addition, a Water Right Claim Description in a format standardized by OWRD is set forth in Section B this Partial Order of Determination for Claim 606; the outcome of the Order is without modification.

B. DETERMINATION

1. The Proposed Order is adopted and incorporated in its entirety as if set forth fully herein.

2. The instream flows recognized pursuant to this claim are not additive to any other instream flows based on other water rights, permits or claims within the same stream reach or a portion of the same stream reach.

3. The combination of the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT. 202; the ACT OF AUG. 25, 1916, CH. 408, §2, 39 STAT. 535; PUB. L. NO. 96-553, 94 STAT. 3255 (Dec. 19, 1980 and PUB. L. NO. 97-250, 96 STAT. 709 (Sept. 8, 1982) are valid bases for this federal reserved water right claim, including the claimed purposes of use. The GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS are incorporated as if set forth fully herein.

4. The GENERAL CONCLUSIONS OF LAW CONCERNING ACQUIRED LANDS are incorporated as if set forth fully herein.

5. Claim 606 is approved for future points of diversions where the source of water is Sand Creek and its tributaries within the boundary of Crater Lake National Park; however, the overall rate of water approved in this claim may not be increased. The location of any new point of diversion must be within the reaches as described in March 26, 2002 Proposed Order, Appendix B.

6. Claim 606 is approved for future places of use for the purpose of domestic, administrative, wildlife watering, and/or fire protection uses within the boundaries of Crater Lake National Park as delineated in Appendix A Map (LAND RESERVATION DATES) of the March 26, 2002 Proposed Order. The priority date(s) for water use will be the priority date associated with the federal reservation of land serving as the place of use, being May 22, 1902; May 14, 1932; December 5, 1940; January 30, 1942; or December 19, 1980.

7. If new points of diversion or places of use are developed in the future, the National Park Service is required to submit a map(s) to OWRD showing the location(s) of any new point of diversion and or place of use by township, range, section and quarter-quarter. In addition, measured distances or coordinates must be provided on the map(s) for new point(s) of diversion. OWRD will record the new point(s) of diversion and/or places(s) of use and its associated priority date.

8. Based on the file and record herein, IT IS ORDERED that Claim 606 is approved as set forth in the following Water Right Claim Description.

[Beginning of Water Right Claim Description]

CLAIM NO. 606

CLAIM MAP REFERENCE:
CLAIM # 606 MYLAR MAP (Oct. 1, 1999)

CLAIMANT: UNITED STATES DEPARTMENT OF INTERIOR
U.S. NATIONAL PARK SERVICE
1201 OAKRIDGE DR, SUITE 250
FORT COLLINS, CO 80525

SOURCE OF WATER:

SAND CREEK AND ITS TRIBUTARIES WITHIN THE BOUNDARY OF CRATER LAKE NATIONAL PARK, tributary to the WILLIAMSON RIVER

PURPOSE OR USE:

DOMESTIC, ADMINISTRATIVE, WILDLIFE WATERING, AND FIRE PROTECTION

RATE OF USE:

1.06 CUBIC FEET PER SECOND (CFS) AS FOLLOWS:

1.0 CUBIC FOOT PER SECOND FOR FIRE PROTECTION, AND

0.06 CFS FOR DOMESTIC, ADMINISTRATIVE AND WILDFIFE WATERING UP TO 0.95 ACRE-FEET PER YEAR, ALSO INCLUDING 10,000 GALLONS OF STORAGE WITH CONTINUOUS REFILL FOR THE ABOVE USES.

PERIOD OF ALLOWED USE: JANUARY 1 – DECEMBER 31

DATE OF PRIORITY: MAY 22, 1902

THE EXISTING POINT OF DIVERSION IS LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
31 S	7.5 E	WM	18	NE SW	2310 FEET NORTH AND 1596 FEET EAST OF SW CORNER OF SECTION 18
LOST CREEK WATER SUPPLY SYSTEM					

THE EXISTING PLACE OF USE IS LOCATED AS FOLLOWS:

DOMESTIC, ADMINISTRATIVE, WILDFIFE WATERING, FIRE PROTECTION				
Twp	**Rng**	**Mer**	**Sec**	**Q-Q**
31 S	7.5 E	WM	18	SESE
LOST CREEK CAMPGROUND				

FUTURE POINT(S) OF DIVERSION AND/OR FUTURE PLACE(S) OF USE:

THE SOURCE OF WATER MUST BE SAND CREEK AND ITS TRIBUTARIES WITHIN THE BOUNDARY OF CRATER LAKE NATIONAL PARK.

THE RATE FOR CURRENT AND FUTURE USES MAY NOT EXCEED 1.06 CUBIC FEET PER SECOND (CFS) AS FOLLOWS:

1.0 CUBIC FOOT PER SECOND FOR FIRE PROTECTION, AND

0.06 CFS FOR DOMESTIC, ADMINISTRATIVE AND WILDFIFE WATERING UP TO 0.95 ACRE-FEET PER YEAR, ALSO INCLUDING 10,000 GALLONS OF STORAGE WITH CONTINUOUS REFILL FOR THE ABOVE USES.

THE LOCATION OF ANY NEW POINT OF DIVERSION MUST BE WITHIN THE REACHES AS DESCRIBED IN MARCH 26, 2002 PROPOSED ORDER, APPENDIX B CLAIM 602, SECTION 8.2:

Subsection 8.2.1

MAINSTEM SAND CREEK							
	Twp	**Rng**	**Mer**	**Sec**	**Q-Q**		**Approx River Mile***
Upper Reach Boundary	30 S	6 E	WM	32		PB 43	9.0
Lower Reach Boundary	31S	7.5 E	WM	35	SENW		0.0

*River miles are measured upstream from the Crater Lake National Park boundary.

Subsection 8.2.2

CAVERN CREEK						
	Twp	**Rng**	**Mer**	**Sec**	**Q-Q**	**Approx River Mile***
Upper Reach Boundary	31S	7.5 E	WM	8	NWNE	5.2
Lower Reach Boundary	31S	7.5 E	WM	34	NWNE	0.0

*River miles are measured upstream from the confluence OF Cavern Creek with Sand Creek

Subsection 8.2.3

UNNAMED TRIBUTARY "SAND-1," TRIBUTARY TO CAVERN CREEK							
	Twp	**Rng**	**Mer**	**Sec**	**Q-Q**		**Approx River Mile***
Upper Reach Boundary	31S	7.5 E	WM	22	NWNE	At the point where "Sand-1" enters the Park	0.8
Lower Reach Boundary	31S	7.5 E	WM	22	SWSW		0.0

*River miles are measured upstream from the confluence of Sand-1 with Cavern Creek

Subsection 8.2.4

WHEELER CREEK						
	Twp	**Rng**	**Mer**	**Sec**	**Q-Q**	**Approx River Mile***
Upper Reach Boundary	31 S	6 E	WM	11		6.4
Lower Reach Boundary	31 S	7.5 E	WM	28	SESE	0.0

*River miles are measured upstream from the confluence of Wheeler Creek with Sand Creek

Subsection 8.2.5

LOST CREEK, TRIBUTARY TO WHEELER CREEK						
	Twp	**Rng**	**Mer**	**Sec**	**Q-Q**	**Approx River Mile***
Upper Reach Boundary	31 S	7.5 E	WM	18	NWSE	0.9
Lower Reach Boundary	31 S	7.5 E	WM	20	NWSW	0.0

*River miles are measured upstream from the confluence of Lost Creek with Wheeler Creek

Subsection 8.2.6

UNNAMED TRIBUTARY "SAND 2," TRIBUTARY TO SAND CREEK						
	Twp	Rng	Mer	Sec	Q-Q	Approx River Mile*
Upper Reach Boundary	31 S	7.5 E	WM	5	SWSW	2.5
Lower Reach Boundary	31 S	7.5 E	WM	20	NWNW	0.0

*River miles are measured upstream from the confluence of Sand-2 with Sand Creek

Subsection 8.2.7

UNNAMED TRIBUTARY "SAND 3," TRIBUTARY TO SAND CREEK							
	Twp	Rng	Mer	Sec	Q-Q		Approx River Mile*
Upper Reach Boundary	30 S	6 E	WM	31		PB 42	0.8
Lower Reach Boundary	31 S	7.5 E	WM	6	NWSW		0.0

*River miles are measured upstream from the confluence of Sand-3 with Sand Creek

THE PLACE(S) OF USE MUST BE WITHIN THE BOUNDARIES OF CRATER LAKE NATIONAL PARK AS DELINEATED IN APPENDIX A OF THE MARCH 26, 2002 PROPOSED ORDER.

THE PRIORITY DATE(S) FOR WATER USE WILL BE THE PRIORITY DATE ASSOCIATED WITH THE FEDERAL RESERVATION OF LAND SERVING AS THE PLACE OF USE, BEING MAY 22, 1902; MAY 14, 1932; DECEMBER 5, 1940; JANUARY 30, 1942; OR DECEMBER 19, 1980.

THE NATIONAL PARK SERVICE IS REQUIRED TO SUBMIT A MAP(S) TO OWRD SHOWING THE LOCATION(S) OF ANY NEW POINT OF DIVERSION AND OR PLACE OF USE BY TOWNSHIP, RANGE, SECTION AND QUARTER-QUARTER. IN ADDITION, MEASURED DISTANCES OR COORDINATES MUST BE PROVIDED ON THE MAP(S) FOR NEW POINT(S) OF DIVERSION. OWRD WILL RECORD THE NEW POINT(S) OF DIVERSION AND/OR PLACES(S) OF USE AND ITS ASSOCIATED PRIORITY DATE.

[End of Water Right Claim Description]

Dated at Salem, Oregon on March 7, 2013

Dwight French, Adjudicator
Klamath Basin General Stream Adjudication

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 UNITED STATES DEPARTMENT OF INTERIOR, U.S. NATIONAL PARK SERVICE	))))	PARTIAL ORDER OF DETERMINATION
		Water Right Claim 607

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 607 (Claimant: UNITED STATES DEPARTMENT OF INTERIOR, NATIONAL PARK SERVICE) and its associated contests (3703, 3951) were referred to the Office of Administrative Hearings for a contested case hearing which was designated as Case 001.

2. The Office of Administrative Hearings conducted contested case proceedings and ultimately issued an AMENDED PROPOSED ORDER for Claim 607 on March 26, 2002. A NOTICE OF *EX PARTE* CONTACT AND ORDER AMENDING PROPOSED ORDER was issued on April 17, 2002 to correct an error in Item 7, Appendix B at 8 (Claim 604). The AMENDED PROPOSED ORDER in conjunction with the NOTICE OF *EX PARTE* CONTACT AND ORDER AMENDING PROPOSED ORDER is herein referred to as the "Proposed Order."

3. No exceptions were filed to the Proposed Order within the exceptions filing deadline.

4. The Proposed Order is adopted and incorporated in its entirety as if set forth fully herein. In addition, a Water Right Claim Description in a format standardized by OWRD is set forth in Section B this Partial Order of Determination for Claim 607; the outcome of the Order is without modification.

B. DETERMINATION

1. The Proposed Order is adopted and incorporated in its entirety as if set forth fully herein.

2. The instream flows recognized pursuant to this claim are not additive to any other instream flows based on other water rights, permits or claims within the same stream reach or a portion of the same stream reach.

3. The combination of the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT. 202; the ACT OF AUG. 25, 1916, CH. 408, §2, 39 STAT. 535; PUB. L. NO. 96-553, 94 STAT. 3255 (Dec. 19, 1980 and PUB. L. NO. 97-250, 96 STAT. 709 (Sept. 8, 1982) are valid bases for this federal reserved water right claim, including the claimed purposes of use. The GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS are incorporated as if set forth fully herein.

4. The GENERAL CONCLUSIONS OF LAW CONCERNING ACQUIRED LANDS are incorporated as if set forth fully herein.

5. Claim 607 is approved for future points of diversions where the source of water is Scott Creek within the boundary of Crater Lake National Park; however, the overall rate of water approved in this claim may not be increased. The location of any new point of diversion must be within the reaches as described in March 26, 2002 Proposed Order, Appendix B.

6. Claim 607 is approved for future places of use for the purpose of domestic, administrative, wildlife watering, and/or fire protection uses within the boundaries of Crater Lake National Park as delineated in Appendix A Map (LAND RESERVATION DATES) of the March 26, 2002 Proposed Order. The priority date(s) for water use will be the priority date associated with the federal reservation of land serving as the place of use, being May 22, 1902; May 14, 1932; December 5, 1940; January 30, 1942; or December 19, 1980.

7. If new points of diversion or places of use are developed in the future, the National Park Service is required to submit a map(s) to OWRD showing the location(s) of any new point of diversion and or place of use by township, range, section and quarter-quarter. In addition, measured distances or coordinates must be provided on the map(s) for new point(s) of diversion. OWRD will record the new point(s) of diversion and/or places(s) of use and its associated priority date.

8. Based on the file and record herein, IT IS ORDERED that Claim 607 is approved as set forth in the following Water Right Claim Description.

[Beginning of Water Right Claim Description]

CLAIM NO. 607

CLAIM MAP REFERENCE:
CLAIM # 607 MYLAR MAP (Oct. 1, 1999)

CLAIMANT: UNITED STATES DEPARTMENT OF INTERIOR
U.S. NATIONAL PARK SERVICE
1201 OAKRIDGE DR, SUITE 250
FORT COLLINS, CO 80525

SOURCE OF WATER:
SCOTT CREEK WITHIN THE BOUNDARY OF CRATER LAKE NATIONAL PARK, tributary to the WILLIAMSON RIVER

PURPOSE OR USE:

DOMESTIC, ADMINISTRATIVE, WILDLIFE WATERING, AND FIRE PROTECTION

QUANTITY:

1.0 CUBIC FOOT PER SECOND FOR FIRE PROTECTION, AND

0.1 ACRE-FOOT FOR DOMESTIC, ADMINISTRATIVE AND WILDFIFE WATERING

PERIOD OF ALLOWED USE: JANUARY 1 – DECEMBER 31

FUTURE POINT(S) OF DIVERSION AND/OR FUTURE PLACE(S) OF USE:

THE LOCATION OF ANY NEW POINT OF DIVERSION MUST BE WITHIN THE REACHES AS DESCRIBED IN MARCH 26, 2002 PROPOSED ORDER, CLAIM 607, SECTION 8.1:

MAINSTEM SCOTT CREEK						
	Twp	**Rng**	**Mer**	**Sec**	**Q-Q**	**Approx River Mile***
Upper Reach Boundary	31 S	7.5 E	WM	4	SWSE	0.7
Lower Reach Boundary	31S	7.5 E	WM	10	SENW	0.0

*River miles are measured upstream from the Crater Lake National Park boundary.

THE PLACE(S) OF USE MUST BE WITHIN THE BOUNDARIES OF CRATER LAKE NATIONAL PARK AS DELINEATED IN APPENDIX A OF THE MARCH 26, 2002 PROPOSED ORDER.

THE PRIORITY DATE(S) FOR WATER USE WILL BE THE PRIORITY DATE ASSOCIATED WITH THE FEDERAL RESERVATION OF LAND SERVING AS THE PLACE OF USE, BEING MAY 22, 1902; MAY 14, 1932; DECEMBER 5, 1940; JANUARY 30, 1942; OR DECEMBER 19, 1980.

THE NATIONAL PARK SERVICE IS REQUIRED TO SUBMIT A MAP(S) TO OWRD SHOWING THE LOCATION(S) OF ANY NEW POINT OF DIVERSION AND OR PLACE OF USE BY TOWNSHIP, RANGE, SECTION AND QUARTER-QUARTER. IN ADDITION, MEASURED DISTANCES OR COORDINATES MUST BE PROVIDED ON THE MAP(S) FOR NEW POINT(S) OF DIVERSION. OWRD WILL RECORD THE NEW POINT(S) OF DIVERSION AND/OR PLACES(S) OF USE AND ITS ASSOCIATED PRIORITY DATE.

[End of Water Right Claim Description]

Dated at Salem, Oregon on March 7, 2013

Dwight French, Adjudicator
Klamath Basin General Stream Adjudication

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 UNITED STATES DEPARTMENT OF INTERIOR, U.S. NATIONAL PARK SERVICE	))))	PARTIAL ORDER OF DETERMINATION Water Right Claim 608

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 608 (Claimant: UNITED STATES DEPARTMENT OF INTERIOR, NATIONAL PARK SERVICE) and its associated contests (3704, 3952) were referred to the Office of Administrative Hearings for a contested case hearing which was designated as Case 001.

2. The Office of Administrative Hearings conducted contested case proceedings and ultimately issued an AMENDED PROPOSED ORDER for Claim 608 on March 26, 2002. A NOTICE OF *EX PARTE* CONTACT AND ORDER AMENDING PROPOSED ORDER was issued on April 17, 2002 to correct an error in Item 7, Appendix B at 8 (Claim 604). The AMENDED PROPOSED ORDER in conjunction with the NOTICE OF *EX PARTE* CONTACT AND ORDER AMENDING PROPOSED ORDER is herein referred to as the "Proposed Order."

3. No exceptions were filed to the Proposed Order within the exceptions filing deadline.

4. The Proposed Order is adopted and incorporated in its entirety as if set forth fully herein. In addition, a Water Right Claim Description in a format standardized by OWRD is set forth in Section B this Partial Order of Determination for Claim 608; the outcome of the Order is without modification.

B. DETERMINATION

1. The Proposed Order is adopted and incorporated in its entirety as if set forth fully herein.

2. The instream flows recognized pursuant to this claim are not additive to any other instream flows based on other water rights, permits or claims within the same stream reach or a portion of the same stream reach.

3. The combination of the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT. 202; the ACT OF AUG. 25, 1916, CH. 408, §2, 39 STAT. 535 and PUB. L. NO. 97-250, 96 STAT. 709 (Sept. 8, 1982) are valid bases for this federal reserved water right claim, including the claimed purposes of use. The GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS are incorporated as if set forth fully herein.

4. The GENERAL CONCLUSIONS OF LAW CONCERNING ACQUIRED LANDS are incorporated as if set forth fully herein.

5. Claim 608 is approved for future points of diversions where the source of water is Silent Creek within the boundary of Crater Lake National Park; however, the overall rate of water approved in this claim may not be increased. The location of any new point of diversion must be within the reaches as described in March 26, 2002 Proposed Order, Appendix B.

6. Claim 608 is approved for future places of use for the purpose of domestic, administrative, wildlife watering, and/or fire protection uses within the boundaries of Crater Lake National Park as delineated in Appendix A Map (LAND RESERVATION DATES) of the March 26, 2002 Proposed Order. The priority date(s) for water use will be the priority date associated with the federal reservation of land serving as the place of use, being May 22, 1902; May 14, 1932; December 5, 1940; January 30, 1942; or December 19, 1980.

7. If new points of diversion or places of use are developed in the future, the National Park Service is required to submit a map(s) to OWRD showing the location(s) of any new point of diversion and or place of use by township, range, section and quarter-quarter. In addition, measured distances or coordinates must be provided on the map(s) for new point(s) of diversion. OWRD will record the new point(s) of diversion and/or places(s) of use and its associated priority date.

8. Based on the file and record herein, IT IS ORDERED that Claim 608 is approved as set forth in the following Water Right Claim Description.

[Beginning of Water Right Claim Description]

CLAIM NO. 608

CLAIM MAP REFERENCE:
CLAIM # 608 MYLAR MAP (Oct. 1, 1999)

CLAIMANT: UNITED STATES DEPARTMENT OF INTERIOR
U.S. NATIONAL PARK SERVICE
1201 OAKRIDGE DR, SUITE 250
FORT COLLINS, CO 80525

SOURCE OF WATER:
SILENT CREEK WITHIN THE BOUNDARY OF CRATER LAKE NATIONAL PARK, tributary to the WILLIAMSON RIVER

PURPOSE OR USE:

DOMESTIC, ADMINISTRATIVE, WILDLIFE WATERING, AND FIRE PROTECTION

QUANTITY:

1.0 CUBIC FOOT PER SECOND FOR FIRE PROTECTION, AND

0.1 ACRE-FOOT FOR DOMESTIC, ADMINISTRATIVE AND WILDFIFE WATERING

PERIOD OF ALLOWED USE: JANUARY 1 – DECEMBER 31

FUTURE POINT(S) OF DIVERSION AND/OR FUTURE PLACE(S) OF USE

THE LOCATION OF ANY NEW POINT OF DIVERSION MUST BE WITHIN THE REACHES AS DESCRIBED IN MARCH 26, 2002 PROPOSED ORDER, APPENDIX B CLAIM 608, SECTION 8.1:

MAINSTEM SILENT CREEK						
	Twp	Rng	Mer	Sec		Approx River Mile*
Upper Reach Boundary	30 S	6 E	WM	17		2.2
Lower Reach Boundary	30 S	6 E	WM	3	PB 39	0.0

*River miles are measured upstream from the Crater Lake National Park boundary.

THE PLACE(S) OF USE MUST BE WITHIN THE BOUNDARIES OF CRATER LAKE NATIONAL PARK AS DELINEATED IN APPENDIX A OF THE MARCH 26, 2002 PROPOSED ORDER.

THE PRIORITY DATE(S) FOR WATER USE WILL BE THE PRIORITY DATE ASSOCIATED WITH THE FEDERAL RESERVATION OF LAND SERVING AS THE PLACE OF USE, BEING MAY 22, 1902; MAY 14, 1932; DECEMBER 5, 1940; JANUARY 30, 1942; OR DECEMBER 19, 1980.

THE NATIONAL PARK SERVICE IS REQUIRED TO SUBMIT A MAP(S) TO OWRD SHOWING THE LOCATION(S) OF ANY NEW POINT OF DIVERSION AND OR PLACE OF USE BY TOWNSHIP, RANGE, SECTION AND QUARTER-QUARTER. IN ADDITION, MEASURED DISTANCES OR COORDINATES MUST BE PROVIDED ON THE MAP(S) FOR NEW POINT(S) OF DIVERSION. OWRD WILL RECORD THE NEW POINT(S) OF DIVERSION AND/OR PLACES(S) OF USE AND ITS ASSOCIATED PRIORITY DATE.

[End of Water Right Claim Description]

Dated at Salem, Oregon on March 7, 2013

Dwight French, Adjudicator
Klamath Basin General Stream Adjudication

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 UNITED STATES DEPARTMENT OF INTERIOR, U.S. NATIONAL PARK SERVICE	))))	PARTIAL ORDER OF DETERMINATION
		Water Right Claim 609

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 609 (Claimant: UNITED STATES DEPARTMENT OF INTERIOR, NATIONAL PARK SERVICE) and its associated contests (3116, 3705, 3953) were referred to the Office of Administrative Hearings for a contested case hearing which was designated as Case 001.

2. The Office of Administrative Hearings conducted contested case proceedings and ultimately issued an AMENDED PROPOSED ORDER for Claim 609 on March 26, 2002. A NOTICE OF *EX PARTE* CONTACT AND ORDER AMENDING PROPOSED ORDER was issued on April 17, 2002 to correct an error in Item 7, Appendix B at 8 (Claim 604). The AMENDED PROPOSED ORDER in conjunction with the NOTICE OF *EX PARTE* CONTACT AND ORDER AMENDING PROPOSED ORDER is herein referred to as the "Proposed Order."

3. No exceptions were filed to the Proposed Order within the exceptions filing deadline.

4. The Proposed Order is adopted and incorporated in its entirety as if set forth fully herein. In addition, a Water Right Claim Description in a format standardized by OWRD is set forth in Section B this Partial Order of Determination for Claim 609; the outcome of the Order is without modification.

B. DETERMINATION

1. The Proposed Order is adopted and incorporated in its entirety as if set forth fully herein

2. The instream flows recognized pursuant to this claim are not additive to any other instream flows based on other water rights, permits or claims within the same stream reach or a portion of the same stream reach.

3. The combination of the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT. 202; the ACT OF AUG. 25, 1916, CH. 408, §2, 39 STAT. 535; FINAL JUDGMENT NO. CIV-424 (Dec. 5, 1940); and PUB. L. NO. 97-250, 96 STAT. 709 (Sept. 8, 1982) are valid bases for this federal reserved water right claim, including the claimed purposes of use. The GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS are incorporated as if set forth fully herein.

4. The GENERAL CONCLUSIONS OF LAW CONCERNING ACQUIRED LANDS are incorporated as if set forth fully herein.

5. Claim 609 is approved for future points of diversions where the source of water is Sun Creek and its tributaries within the boundary of Crater Lake National Park; however, the overall rate of water approved in this claim may not be increased. The location of any new point of diversion must be within the reaches as described in March 26, 2002 Proposed Order, Appendix B.

6. Claim 609 is approved for future places of use for the purpose of domestic, administrative, wildlife watering, and/or fire protection uses within the boundaries of Crater Lake National Park as delineated in Appendix A Map (LAND RESERVATION DATES) of the March 26, 2002 Proposed Order. The priority date(s) for water use will be the priority date associated with the federal reservation of land serving as the place of use, being May 22, 1902; May 14, 1932; December 5, 1940; January 30, 1942; or December 19, 1980.

7. If new points of diversion or places of use are developed in the future, the National Park Service is required to submit a map(s) to OWRD showing the location(s) of any new point of diversion and or place of use by township, range, section and quarter-quarter. In addition, measured distances or coordinates must be provided on the map(s) for new point(s) of diversion. OWRD will record the new point(s) of diversion and/or places(s) of use and its associated priority date.

8. Based on the file and record herein, IT IS ORDERED that Claim 609 is approved as set forth in the following Water Right Claim Description.

[Beginning of Water Right Claim Description]

CLAIM NO. 609

CLAIM MAP REFERENCE:
CLAIM # 609 MYLAR MAP (Oct. 1, 1999)

CLAIMANT: UNITED STATES DEPARTMENT OF INTERIOR
U.S. NATIONAL PARK SERVICE
1201 OAKRIDGE DR, SUITE 250
FORT COLLINS, CO 80525

SOURCE OF WATER:
SUN CREEK AND ITS TRIBUTARIES WITHIN THE BOUNDARY OF CRATER LAKE NATIONAL PARK, tributary to the WOOD RIVER

PURPOSE OR USE:
DOMESTIC, ADMINISTRATIVE, WILDLIFE WATERING, AND FIRE PROTECTION

QUANTITY:
1.0 CUBIC FOOT PER SECOND FOR FIRE PROTECTION, AND

0.1 ACRE-FOOT FOR DOMESTIC, ADMINISTRATIVE AND WILDFIFE WATERING

PERIOD OF ALLOWED USE: JANUARY 1 – DECEMBER 31

FUTURE POINT(S) OF DIVERSION AND/OR FUTURE PLACE(S) OF USE:
THE LOCATION OF ANY NEW POINT OF DIVERSION MUST BE WITHIN THE REACHES AS DESCRIBED IN MARCH 26, 2002 PROPOSED ORDER, APPENDIX B CLAIM 609, SECTION 8:

Subsection 8.1

MAINSTEM SUN CREEK						
	Twp	**Rng**	**Mer**	**Sec**	**Q-Q**	**Approx River Mile***
Upper Reach Boundary	31 S	6 E	WM	10		9.1
Lower Reach Boundary	32 S	7.5 E	WM	17	SENW	0.0

*River miles are measured upstream from the Crater Lake National Park boundary.

Subsection 8.2

VIDAE CREEK					
	Twp	**Rng**	**Mer**	**Sec**	**Approx River Mile***
Upper Reach Boundary	31 S	6 E	WM	15	0.7
Lower Reach Boundary	31 S	6 E	WM	22	0.0

*River miles are measured upstream from the confluence of Vidae Creek with Sun Creek

THE PLACE(S) OF USE MUST BE WITHIN THE BOUNDARIES OF CRATER LAKE NATIONAL PARK AS DELINEATED IN APPENDIX A OF THE MARCH 26, 2002 PROPOSED ORDER.

THE PRIORITY DATE(S) FOR WATER USE WILL BE THE PRIORITY DATE ASSOCIATED WITH THE FEDERAL RESERVATION OF LAND SERVING AS THE PLACE OF USE, BEING MAY 22, 1902; MAY 14, 1932; DECEMBER 5, 1940; JANUARY 30, 1942; OR DECEMBER 19, 1980.

THE NATIONAL PARK SERVICE IS REQUIRED TO SUBMIT A MAP(S) TO OWRD SHOWING THE LOCATION(S) OF ANY NEW POINT OF DIVERSION AND OR PLACE OF USE BY TOWNSHIP, RANGE, SECTION AND QUARTER-QUARTER. IN ADDITION, MEASURED DISTANCES OR COORDINATES MUST BE PROVIDED ON THE MAP(S) FOR NEW POINT(S) OF DIVERSION. OWRD WILL RECORD THE NEW POINT(S) OF DIVERSION AND/OR PLACES(S) OF USE AND ITS ASSOCIATED PRIORITY DATE.

[End of Water Right Claim Description]

Dated at Salem, Oregon on March 7, 2013

Dwight French, Adjudicator
Klamath Basin General Stream Adjudication

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 UNITED STATES DEPARTMENT OF INTERIOR, U.S. NATIONAL PARK SERVICE	))))	PARTIAL ORDER OF DETERMINATION
		Water Right Claim 610

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 610 (Claimant: UNITED STATES DEPARTMENT OF INTERIOR, NATIONAL PARK SERVICE) and its associated contests (3117, 3706, 3954) were referred to the Office of Administrative Hearings for a contested case hearing which was designated as Case 001.

2. The Office of Administrative Hearings conducted contested case proceedings and ultimately issued an AMENDED PROPOSED ORDER for Claim 610 on March 26, 2002. A NOTICE OF *EX PARTE* CONTACT AND ORDER AMENDING PROPOSED ORDER was issued on April 17, 2002 to correct an error in Item 7, Appendix B at 8 (Claim 604). The AMENDED PROPOSED ORDER in conjunction with the NOTICE OF *EX PARTE* CONTACT AND ORDER AMENDING PROPOSED ORDER is herein referred to as the "Proposed Order."

3. No exceptions were filed to the Proposed Order within the exceptions filing deadline.

4. The Proposed Order is adopted and incorporated in its entirety as if set forth fully herein. In addition, a Water Right Claim Description in a format standardized by OWRD is set forth in Section B this Partial Order of Determination for Claim 610; the outcome of the Order is without modification.

B. DETERMINATION

1. The Proposed Order is adopted and incorporated in its entirety as if set forth fully herein.

2. The instream flows recognized pursuant to this claim are not additive to any other instream flows based on other water rights, permits or claims within the same stream reach or a portion of the same stream reach.

3. The combination of the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT. 202; the ACT OF AUG. 25, 1916, CH. 408, §2, 39 STAT. 535; and PUB. L. NO. 97-250, 96 STAT. 709 (Sept. 8, 1982) are valid bases for this federal reserved water right claim, including the claimed purposes of use. The GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS are incorporated as if set forth fully herein.

4. The GENERAL CONCLUSIONS OF LAW CONCERNING ACQUIRED LANDS are incorporated as if set forth fully herein.

5. Claim 610 is approved for future points of diversions where the source of water is an Unnamed Creek near Annie Creek within the boundary of Crater Lake National Park; however, the overall rate of water approved in this claim may not be increased. The location of any new point of diversion must be within the reaches as described in March 26, 2002 Proposed Order, Appendix B.

6. Claim 610 is approved for future places of use for the purpose of domestic, administrative, wildlife watering, and/or fire protection uses within the boundaries of Crater Lake National Park as delineated in Appendix A Map (LAND RESERVATION DATES) of the March 26, 2002 Proposed Order. The priority date(s) for water use will be the priority date associated with the federal reservation of land serving as the place of use, being May 22, 1902; May 14, 1932; December 5, 1940; January 30, 1942; or December 19, 1980.

7. If new points of diversion or places of use are developed in the future, the National Park Service is required to submit a map(s) to OWRD showing the location(s) of any new point of diversion and or place of use by township, range, section and quarter-quarter. In addition, measured distances or coordinates must be provided on the map(s) for new point(s) of diversion. OWRD will record the new point(s) of diversion and/or places(s) of use and its associated priority date.

8. Based on the file and record herein, IT IS ORDERED that Claim 610 is approved as set forth in the following Water Right Claim Description.

[Beginning of Water Right Claim Description]

CLAIM NO. 610

CLAIM MAP REFERENCE:
CLAIM # 610 MYLAR MAP (Oct. 1, 1999)

CLAIMANT: UNITED STATES DEPARTMENT OF INTERIOR
U.S. NATIONAL PARK SERVICE
1201 OAKRIDGE DR, SUITE 250
FORT COLLINS, CO 80525

SOURCE OF WATER:
UNNAMED CREEK (NEAR ANNIE CREEK) WITHIN THE BOUNDARY OF CRATER LAKE NATIONAL PARK, tributary to the WOOD RIVER

PURPOSE OR USE:

DOMESTIC, ADMINISTRATIVE, WILDLIFE WATERING, AND FIRE PROTECTION

QUANTITY:

1.0 CUBIC FOOT PER SECOND FOR FIRE PROTECTION, AND

0.1 ACRE-FOOT FOR DOMESTIC, ADMINISTRATIVE AND WILDFIFE WATERING

PERIOD OF ALLOWED USE: JANUARY 1 – DECEMBER 31

FUTURE POINT(S) OF DIVERSION AND/OR FUTURE PLACE(S) OF USE:

THE LOCATION OF ANY NEW POINT OF DIVERSION MUST BE WITHIN THE REACHES AS DESCRIBED IN MARCH 26, 2002 PROPOSED ORDER, APPENDIX B CLAIM 610, SECTION 8.1:

MAINSTEM UNNAMED CREEK (NEAR ANNIE CREEK)						
	Twp	Rng	Mer	Sec		Approx River Mile*
Upper Reach Boundary	31 S	6 E	WM	35		3.2
Lower Reach Boundary	32 S	6 E	WM	13	PB 39	0.0

*River miles are measured upstream from the Crater Lake National Park boundary.

THE PLACE(S) OF USE MUST BE WITHIN THE BOUNDARIES OF CRATER LAKE NATIONAL PARK AS DELINEATED IN APPENDIX A OF THE MARCH 26, 2002 PROPOSED ORDER.

THE PRIORITY DATE(S) FOR WATER USE WILL BE THE PRIORITY DATE ASSOCIATED WITH THE FEDERAL RESERVATION OF LAND SERVING AS THE PLACE OF USE, BEING MAY 22, 1902; MAY 14, 1932; DECEMBER 5, 1940; JANUARY 30, 1942; OR DECEMBER 19, 1980.

THE NATIONAL PARK SERVICE IS REQUIRED TO SUBMIT A MAP(S) TO OWRD SHOWING THE LOCATION(S) OF ANY NEW POINT OF DIVERSION AND OR PLACE OF USE BY TOWNSHIP, RANGE, SECTION AND QUARTER-QUARTER. IN ADDITION, MEASURED DISTANCES OR COORDINATES MUST BE PROVIDED ON THE MAP(S) FOR NEW POINT(S) OF DIVERSION. OWRD WILL RECORD THE NEW POINT(S) OF DIVERSION AND/OR PLACES(S) OF USE AND ITS ASSOCIATED PRIORITY DATE.

[End of Water Right Claim Description]

Dated at Salem, Oregon on March 7, 2013

Dwight French, Adjudicator
Klamath Basin General Stream Adjudication

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 UNITED STATES DEPARTMENT OF INTERIOR, U.S. NATIONAL PARK SERVICE	))))	PARTIAL ORDER OF DETERMINATION
		Water Right Claim 611

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 611 (Claimant: UNITED STATES DEPARTMENT OF INTERIOR, NATIONAL PARK SERVICE) and its associated contests (3955) were referred to the Office of Administrative Hearings for a contested case hearing which was designated as Case 001.

2. The Office of Administrative Hearings conducted contested case proceedings and ultimately issued an AMENDED PROPOSED ORDER for Claim 611 on March 26, 2002. A NOTICE OF *EX PARTE* CONTACT AND ORDER AMENDING PROPOSED ORDER was issued on April 17, 2002 to correct an error in Item 7, Appendix B at 8 (Claim 611). The AMENDED PROPOSED ORDER in conjunction with the NOTICE OF *EX PARTE* CONTACT AND ORDER AMENDING PROPOSED ORDER is herein referred to as the "Proposed Order."

3. No exceptions were filed to the Proposed Order within the exceptions filing deadline.

4. The Proposed Order is adopted and incorporated in its entirety as if set forth fully herein. In addition, a Water Right Claim Description in a format standardized by OWRD is set forth in Section B this Partial Order of Determination for Claim 611; the outcome of the Order is without modification.

B. DETERMINATION

1. The Proposed Order is adopted and incorporated in its entirety as if set forth fully herein.

2. The instream flows recognized pursuant to this claim are not additive to any other instream flows based on other water rights, permits or claims within the same stream reach or a portion of the same stream reach.

3. The combination of the ACT OF MAY 22, 1902, CH. 820, §1, 32 STAT. 202; the ACT OF AUG. 25, 1916, CH. 408, §2, 39 STAT. 535; PUB. L. NO. 96-553, 94 STAT. 3255 (Dec. 19, 1980); and PUB. L. NO. 97-250, 96 STAT. 709 (Sept. 8, 1982) are valid bases for this federal reserved water right claim, including the claimed purposes of use. The GENERAL CONCLUSIONS OF LAW CONCERNING FEDERAL RESERVED WATER RIGHTS are incorporated as if set forth fully herein.

4. The GENERAL CONCLUSIONS OF LAW CONCERNING ACQUIRED LANDS are incorporated as if set forth fully herein.

5. Claim 611 is approved for future points of diversions where the source of water is an Unnamed Creek in the northeast corner of Crater Lake National Park; however, the overall rate of water approved in this claim may not be increased. The location of any new point of diversion must be within the reaches as described in March 26, 2002 Proposed Order, Appendix B.

6. Claim 611 is approved for future places of use for the purpose of domestic, administrative, wildlife watering, and/or fire protection uses within the boundaries of Crater Lake National Park as delineated in Appendix A Map (LAND RESERVATION DATES) of the March 26, 2002 Proposed Order. The priority date(s) for water use will be the priority date associated with the federal reservation of land serving as the place of use, being May 22, 1902; May 14, 1932; December 5, 1940; January 30, 1942; or December 19, 1980.

7. If new points of diversion or places of use are developed in the future, the National Park Service is required to submit a map(s) to OWRD showing the location(s) of any new point of diversion and or place of use by township, range, section and quarter-quarter. In addition, measured distances or coordinates must be provided on the map(s) for new point(s) of diversion. OWRD will record the new point(s) of diversion and/or places(s) of use and its associated priority date.

8. Based on the file and record herein, IT IS ORDERED that Claim 611 is approved as set forth in the following Water Right Claim Description.

[Beginning of Water Right Claim Description]

CLAIM NO. 611

CLAIM MAP REFERENCE:
CLAIM # 611 MYLAR MAP (Oct. 1, 1999)

CLAIMANT: UNITED STATES DEPARTMENT OF INTERIOR
U.S. NATIONAL PARK SERVICE
1201 OAKRIDGE DR, SUITE 250
FORT COLLINS, CO 80525

SOURCE OF WATER:

UNNAMED CREEK IN THE NORTHEAST CORNER OF CRATER LAKE NATIONAL PARK, tributary to the WILLIAMSON RIVER

PURPOSE OR USE:

DOMESTIC, ADMINISTRATIVE, WILDLIFE WATERING, AND FIRE PROTECTION

QUANTITY:

1.0 CUBIC FOOT PER SECOND FOR FIRE PROTECTION, AND

0.1 ACRE-FOOT FOR DOMESTIC, ADMINISTRATIVE AND WILDFIFE WATERING

PERIOD OF ALLOWED USE: JANUARY 1 – DECEMBER 31

FUTURE POINT(S) OF DIVERSION AND/OR FUTURE PLACE(S) OF USE:

THE LOCATION OF ANY NEW POINT OF DIVERSION MUST BE WITHIN THE REACHES AS DESCRIBED IN MARCH 26, 2002 PROPOSED ORDER, APPENDIX B:

MAINSTEM UNNAMED CREEK (NE CORNER OF PARK)						
Priority Date		**Twp**	**Rng**	**Mer**	**Sec**	**Approx River Mile***
December 19, 1980	Upper Reach Boundary	29 S	6 E	WM	6	2.2
	Lower Reach Boundary	29 S	6 E	WM	4	0.0

*River miles are measured upstream from the Crater Lake National Park boundary.

THE PLACE(S) OF USE MUST BE WITHIN THE BOUNDARIES OF CRATER LAKE NATIONAL PARK AS DELINEATED IN APPENDIX A OF THE MARCH 26, 2002 PROPOSED ORDER.

THE PRIORITY DATE(S) FOR WATER USE WILL BE THE PRIORITY DATE ASSOCIATED WITH THE FEDERAL RESERVATION OF LAND SERVING AS THE PLACE OF USE, BEING MAY 22, 1902; MAY 14, 1932; DECEMBER 5, 1940; JANUARY 30, 1942; OR DECEMBER 19, 1980.

THE NATIONAL PARK SERVICE IS REQUIRED TO SUBMIT A MAP(S) TO OWRD SHOWING THE LOCATION(S) OF ANY NEW POINT OF DIVERSION AND OR PLACE OF USE BY TOWNSHIP, RANGE, SECTION AND QUARTER-QUARTER. IN ADDITION, MEASURED DISTANCES OR COORDINATES MUST BE PROVIDED ON THE MAP(S) FOR NEW POINT(S) OF DIVERSION. OWRD WILL RECORD THE NEW POINT(S) OF DIVERSION AND/OR PLACES(S) OF USE AND ITS ASSOCIATED PRIORITY DATE.

[End of Water Right Claim Description]

Dated at Salem, Oregon on March 7, 2013

Dwight French, Adjudicator
Klamath Basin General Stream Adjudication