

Klamath Basin Adjudication

Alternative Dispute Resolution Process

1. Adjudications -
What are they?
2. Federal
Reserved
Rights
3. Tribal treaty
claims
4. Klamath Basin
Adjudication
5. Alternative
Dispute
Resolution
6. Can there be a
happy ending?



Adjudications

General Background

1. Prior Appropriations Doctrine

2. Oregon Water Code—1909

3. Traditional Adjudication

Pre-1909 Vested Water Rights

4. A New Twist

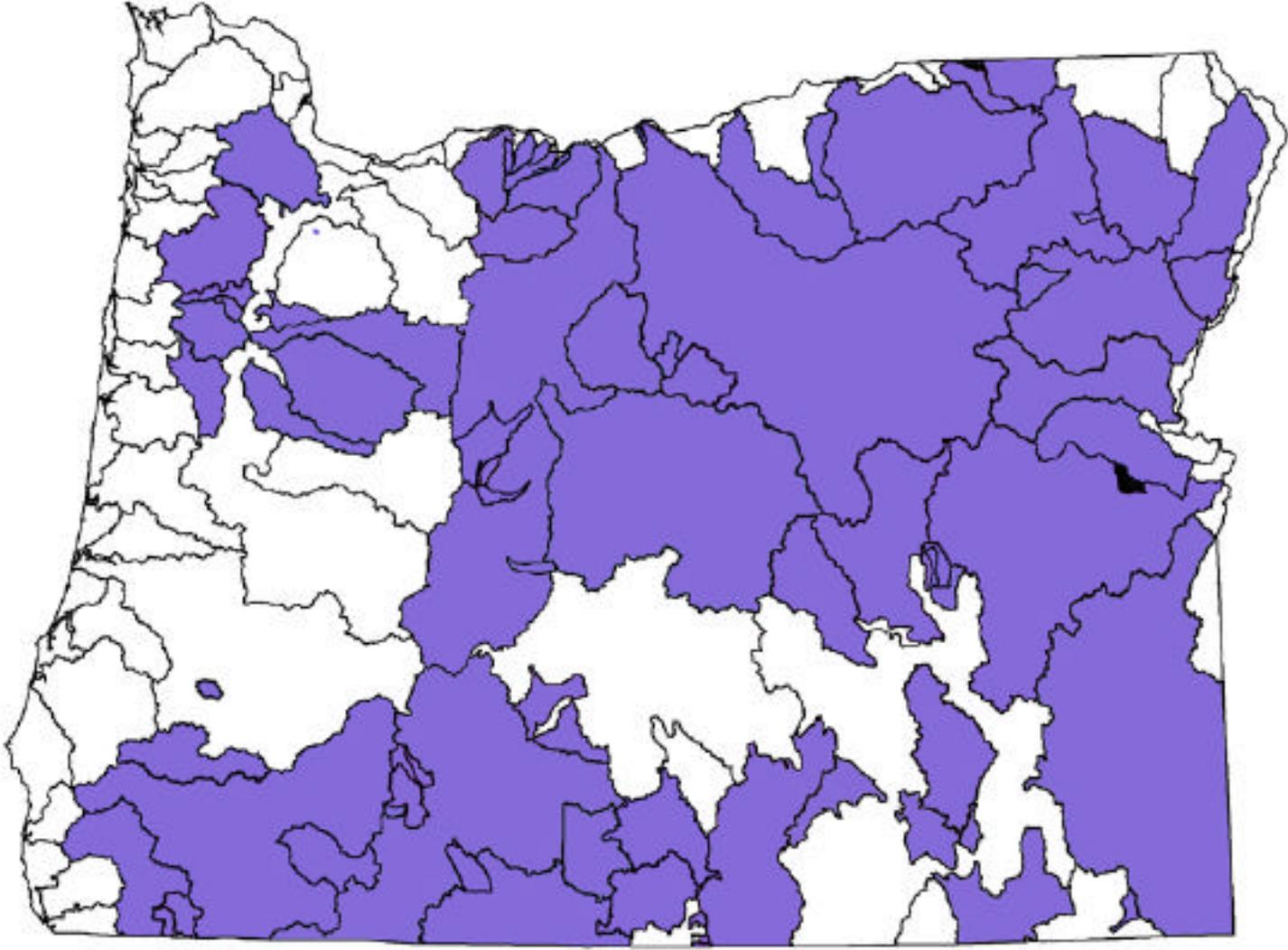
Federal Reserved Rights & Treaty Rights

5. Role of the Courts

6. Role of WRD

7. Limited Scope

Adjudications



Federal Reserved Rights

- 1. Federal Lands–Public Purposes**
- 2. Unquantified “Reserved” Rights**
- 3. Quantified through General Adjudication Process**

Indian Treaty Rights

- 1. Winters Doctrine**
- 2. Primary Purposes**
- 3. Off-reservation Rights**

Klamath Basin Adjudication

1. Overview of the Klamath Basin

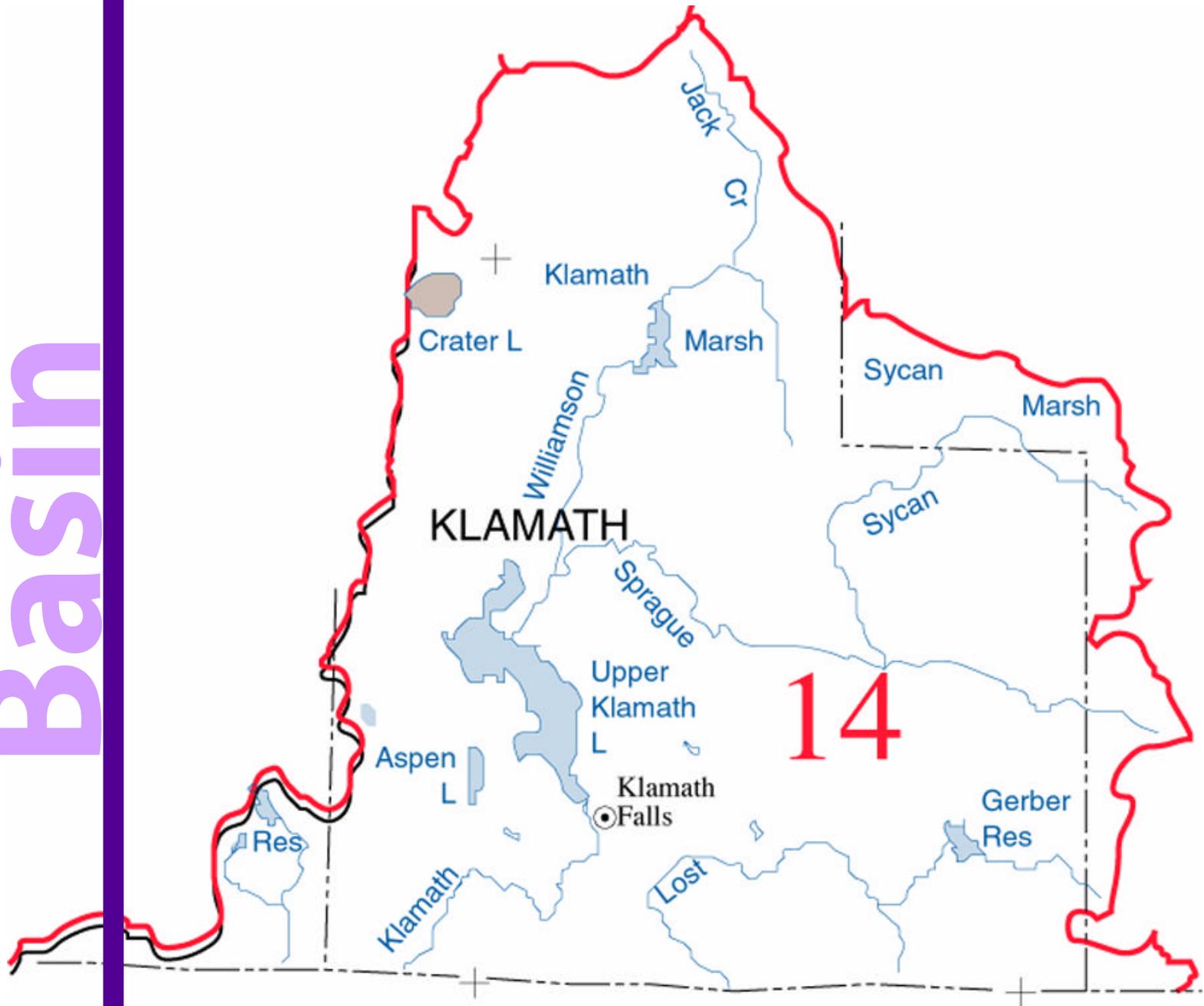
2. Klamath Reclamation Project

3. Major Adjudication Claimants

- Klamath Project
- Project Irrigators
- Other Pre-1909 Irrigators
- Federal Agencies
- Klamath Tribes

4. Other Affected Interests

Klamath Basin



Adjudication Claimants

- 1. Klamath Project**
- 2. Project Irrigators**
- 3. Other Pre-1909 Irrigators**
- 4. Federal Agencies**
 - Forest Service
 - National Parks
 - Bureau of Land Management
 - U.S. Fish and Wildlife
- 5. Klamath Tribes**

Other Affected Interests

- 1. Post-1909 Water Right Holders**
- 2. Downstream Indian Tribes**
Yuroc, Hoopa, Karuk
- 3. Local Government**
- 4. Environmental/Conservation Groups**
- 5. Watershed Working Group**

Alternative Dispute Resolution Process

1. Goals

- Reduce Litigation
- Promote Effective Water Management
- Promote Long-term Supply

2. Participants

3. Process

Expectations & Potential Benefits

- 1. Avoid Complicated Litigation**
- 2. Provide Certainty for Water Users**
- 3. Address Future Supply Needs**
- 4. Address Downstream, ESA and CWA Issues**
- 5. Improve Watershed Productivity and Sustainability**