

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?



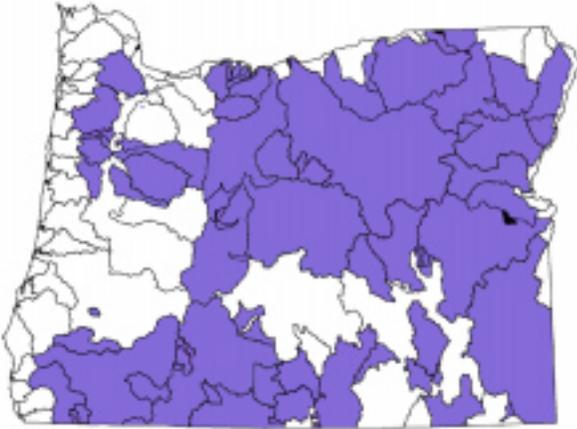
Oregon Water Resources Department
February 1998

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

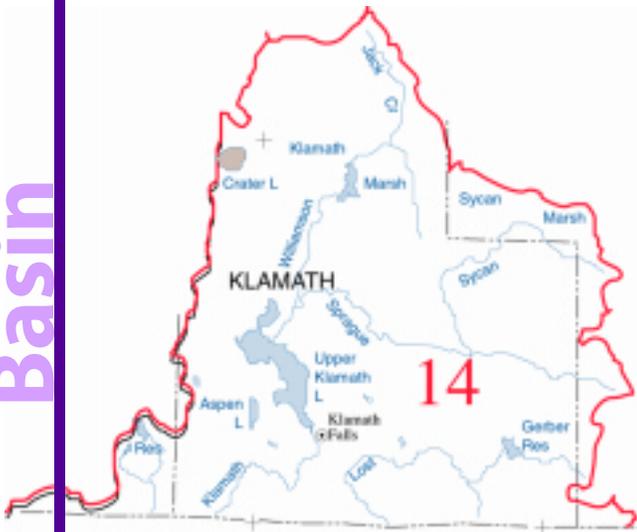
1. **Federal Lands—Public Purposes**
2. **Unquantified “Reserved” Rights**
3. **Quantified through General Adjudication Process**

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**



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