

008F00000010
BEFORE THE HEARING OFFICER PANEL
STATE OF OREGON
for the
WATER RESOURCES DEPARTMENT

RECEIVED
FFR 1 1 2003
WATER RESOURCES DEPT.
SALEM, OREGON

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

WaterWatch Inc.; Klamath Tribes; Horsefly
Irrigation District; Langell Valley Irrigation
District; Medford Irrigation District; Rogue
River Valley Irrigation District; David
Cowan, successor in interest to William J. &
Ethel J. Rust; Leonard Baio; Gary Strong;
Robert Bartell; Margaret Jacobs; Carolyn
Obenchain; Rodney Z. James; Newman
Enterprise; Douglas Newman; and Hilda
Francis, Trustee Francis Loving Trust,
Contestants;

v.

Pacific Power and Light Co. dba Pacificorp;
Charles M. Cline; Kathleen Boivin, successor
in interest to South Valley Bank & Trust,
Trustee for the Harry D. Boivin Trust; David
A. Baltazor; Albert J. Conforti; Scott C.
Kellstrom; Conrad Caillouette and Tamara
Caillouette; Wilford A. Dunster; David C.
Elliott; Eloise J. Elliott; Michael J. Reynolds;
Pamela A. Traina; Mike Massoud; Beverly
Ghiassi; James Dillon; Debra Dillon; Daryl
Kollman; Marta Kollman; Klamath Crisis
Center; Steven Hess; City of Klamath Falls;
Herbert C. LeSueur; Mary C. LeSueur;
Jeanene M. Oatman; Terrel J. Wagstaff;
Michael J. Casey; Jess House; and Alice M.
Galloway, Claimants

**ADDENDUM TO PROPOSED
ORDER**

Hearing Officer Panel Case No. 008

Claim Nos. 145 through 159, 161, 162,
163, 165, 166, and 169

Contest Nos. Contests 16, 44, 45, 280,
515, 985, 1220, 1454, 1803, 2054, 2055,
2255, 2490, 2852, 3139 through 3153,
3155 through 3157, 3159, 3160, 3163,
3376, and 4171¹

On December 12, 2002, the Hearing Officer Panel published Proposed Order in this
contested case, including an appendix summarizing the relative water rights of the parties.

¹ On January 25, 2002 Langell Valley Irrigation District and Horsefly Irrigation District withdrew from
all contests filed in this case.

Although the relative water rights of the claimants and contestants to Claim 156 was discussed in the proposed order, the summary of the claim was not included in that appendix.

IT IS HEREBY ORDERED that the summary attached hereto be appended to and included in the appendix to the Proposed Order as if fully set out in the appendix to the Proposed Order published on December 12, 2002.

RECEIVED
FEB 11 2003
WATER RESOURCES DEP
SALEM, OREGON



William D. Young, Administrative Law Judge
Hearing Officer Panel

Dated: February 10, 2003

NOTICE TO THE PARTIES: If you are not satisfied with this Order you may:

EXCEPTIONS: Parties may file exceptions to this Order with the Adjudicator within 30 days of service of this Order. OAR 137-003-0650.

Exceptions may be made to any proposed finding of fact, conclusions of law, summary of evidence, or recommendations of the Hearing Officer. A copy of the exceptions shall also be delivered or mailed to all participants in this contested case.

Exceptions must be in writing and must clearly and concisely identify the portions of this Order excepted to and cite to appropriate portions of the record to which modifications are sought. Parties opposing these exceptions may file written arguments in opposition to the exceptions within 45 days of service of the Proposed Order. Any exceptions or arguments in opposition must be filed with the Adjudicator at the following address:

Dick Bailey
Klamath Basin Adjudication
Oregon Water Resources Dept
158 12th Street NE
Salem OR 97301

Description Of Water Right Claim Case No. 008

Claim No. 156

RECEIVED

FEB 11 2003

WATER RESOURCES DEPT.
SALEM, OREGON

Claimant's Name and Address:

James Dillon
Debra Dillon
406 Riverside Dr.
Klamath Falls OR 97601

Basis of Claim: Pre-1909 Water right.

Source: Link River, tributary to the Klamath River

Point of Diversion:

Township	Range	Section	1/4, 1/4 section	Lot
38S	9E	32	NWSE	4

Diversion at Link River Dam through "Westside Canal" (Keno Canal).

Priority Date: December 11, 1891

Use: Irrigation

Place of Use:

Township	Range	Section	1/4, 1/4 section	Lot
38S	9E	32	SESW	11

Total Acres: 0.1

Period Of Use: April 1 through October 31 of each year.

Rate: 0.01 cfs

RECEIVED

FFR 1 1 2003

WATER RESOURCES DEPT.
SALEM, OREGON

CERTIFICATE OF SERVICE

I hereby certify that on February 10, 2003, I mailed a true copy of the following: **ADDENDUM TO PROPOSED ORDER**, by depositing the same in the U.S. Post Office, Salem, Oregon 97309, with first class postage prepaid thereon, and addressed to:

Greg D. Corbin
Stoel Rives, L.L.P.
900 SW Fifth Ave., Suite 2600
Portland, OR 97204
Phone: 503-294-9632
Fax: 503-220-2480
gdcorbin@stoel.com

Laura A. Schroeder
Schroeder Law Offices, P.C.
PO Box 12527
Portland, OR 97212
Phone: 503-281-4100
Fax: 503-281-4600
las@water-law.com

Walter Perry/Justin Wirth
Oregon Dept. of Justice
1162 Court St NE
Salem, OR 97310
Phone: 503-378-4009
Fax: 503-378-3802
walter.perry@doj.state.or.us
justin.wirth@doj.state.or.us

Renee Moulun
Klamath Basin Adjudication
Oregon Water Resources Dept.
158 12th Street NE
Salem, OR 97301
Phone: 503-378-8455
Fax: 503-378-6203
renee.m.moulun@wrđ.state.or.us

Richard D. Bailey
Oregon Water Resources Department
158 12th St NE
Salem, OR 97301
Phone: 503-378-8455
Fax: 503-378-6203
richard.d.bailey@wrđ.state.or.us

Kimberly J. Grigsby
Klamath Basin Adjudication
Oregon Water Resources Department
158 12th Street NE
Salem, OR 97301
Phone: 503-378-8455 ext 236
Fax: 503-378-6203
kimberly.j.grigsby@wrđ.state.or.us

David A. Baltazor
318 Riverside Dr.
Klamath Falls, OR 97601

Richard M. Glick/Nanci Klinger
Davis Wright Tremaine
1300 SW 5th Ave., Ste 2300
Portland, OR 97201
Phone: 503-778-5210
Fax: 503-778-5299
rickglick@dwt.com

Charles M. Cline
2237 California Ave.
Klamath Falls, OR 97601

Albert J. Conforti
204 So. Riverside
Klamath Falls, OR 97601

Scott C. Kellstrom
622 Conger Ave.
Klamath Falls, OR 97601

Scott Kellstrom
660 Stanford St.
Klamath Falls, OR 97601

Conrad & Tamara Callouette
234 Riverside Dr.
Klamath Falls, OR 97601

Wilford A. Dunster
346 Riverside Dr.
Klamath Falls, OR 97601

David C. & Eloise J. Elliot
200 Macklyn Cove Dr.
Brookings, OR 97415

Michael J. Reynolds
Pamela A. Traina
702 Conger Ave.
Klamath Falls, OR 97601

Mike Massoud
Beverly Ghiassi
3390 Kallin Ave.
Long Beach, CA 90808

James & Debra Dillon
406 Riverside Dr.
Klamath Falls, OR 97601

Daryl & Marta Kollman
1360 S. 6th St.
Klamath Falls, OR 97601

Klamath Crisis Center
PO Box 1358
Klamath Falls, OR 97601

Steven Hess
446 Riverside Dr.
Klamath Falls, OR 97601

Jess House
706 Conger Ave.
Klamath Falls, OR 97601

Jeffrey D. Ball
City of Klamath Falls
500 Klamath Ave.
PO Box 237
Klamath Falls, OR 97601

Herbert C. & Mary Louise LeSueur
572 Conger Ave.
Klamath Falls, OR 97601

Robert G. Hunter
Attorney at Law
27 N Ivy
Medford, OR 97601
Phone: 541-772-6116
Fax: 541-779-0791
bob@waterwatch.org

Lorna Babby
Native American Rights Fund
1506 Broadway
Boulder, CO 80302
Phone: 303-447-8760
Fax: 303-443-7776
babby@narf.org


Shayleen T. Allen
Water Adjudication Project
P.O. Box 215
Chiloquin, OR 97624

Jeanene M. Oatman
430 Riverside Dr.
Klamath Falls, OR 97601

RECEIVED
FEB 11 2003
WATER RESOURCES DEPT.
SALEM, OREGON

Terrel Wagstaff
Michael Casey
680 Conger Ave.
Klamath Falls, OR 97601

Alice M. Galloway
324 Riverside Dr.
Klamath Falls, OR 97601


Stacey A. Silbernagel
Administrative Assistant

RECEIVED
FEB 11 2003
WATER RESOURCES DEPT.
SALEM, OREGON