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IN THE CIRCUIT COURT FOR THE STATE OF OREGON
IN THE COUNTY OF KLAMATH

*In the matter of the determination of
the relevant rights to the waters of the
Klamath River Basin*

Case No. WS130000

PETITION FOR STAY BY

**CONTESTANT MATHIS FAMILY
TRUST**

OF

**CLAIM 668 (WOOD RIVER),
CLAIM 669 (CROOKED CREEK),
CLAIM 670 (FORT CREEK), AND
CLAIM 622 (UPPER KLAMATH LAKE)**

Hearing Requested

1.

Contestant MATHIS FAMILY TRUST (the Mathis Family), by and through its attorneys
MARTEN LAW PLLC, hereby petitions the Court for a partial stay of the Oregon Water
Resources Department's (OWRD) Findings of Fact and Order of Determination (FFOD)
in this Adjudication. ORS 539.180.

2.

The Mathis Family seeks stay of enforcement of OWRD's determinations on Claim 668
(Wood River), Claim 669 (Crooked Creek), Claim 670 (Fort Creek), and Claim 622
(Upper Klamath Lake). These claims were made by the U.S. Bureau of Indian Affairs on
behalf of the Klamath Tribes.

1 3.

2 The Mathis Family further requests that the Court set the amount of the undertaking
3 required for stay at \$1,000. The Mathis Family has filed a certified check in the amount
4 of \$1,000 with the Klamath County Treasurer, as permitted by ORS 22.020.

5 Documentation of the deposit will be submitted upon receipt from the Treasurer.

6 4.

7 The filing fee of \$240 has been paid to the Court as instructed in the Court's Case
8 Management Order No. 1, p. 2.

9 5.

10 The claims at issue were heard before the Oregon Office of Administrative Hearings in
11 KBA Contested Cases 281 and 286, and service will be made upon the parties to those
12 cases, with the requisite Notice, consistent with the Court's Case Management Order
13 No. 1, pp. 2-3.

14 6.

15 Pursuant to UTCR 5.020, this Petition is accompanied by a Statement of Points and
16 Authorities in support.

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18 Respectfully submitted this 14th day of May, 2013.

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20 MARTEN LAW PLLC

21
22 By 

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