

1 Exceptions Subbasin 10 (Kittitas), which summarized the Court's
2 rulings at the exception hearing, the May 31, 2002, letter rulings
3 and Ordered that the Referee schedule a supplemental hearing to
4 further consider certain claims specified in the Order.

5 III.

6 On February 10-12, 18-19, 24-27, 2003, Referee Clausung
7 conducted a supplemental hearing as directed by the Court. On
8 February 27, 2004, the Referee filed the Supplemental Report of
9 Referee Re: Subbasin No. 10 (Kittitas). This Court set July 7,
10 2004, for a hearing on exceptions to the supplemental report.
11 Pursuant to direction of the Court, the Referee served notice
12 (together with a copy of the supplemental report) upon all
13 parties, setting a time period for filing any exceptions to the
14 supplemental report and for the aforementioned hearing on
15 exceptions. The exception hearing was extended to July 7-9, 2004.

16 IV.

17 On July 7-9, 2004, the Court held a hearing on exceptions to
18 the Supplemental Report of Referee RE: Subbasin No. 10 (Kittitas).
19 On May 18, 2005, the Court circulated a proposed Conditional Final
20 Order and entered its Memorandum Opinion and Order Re: Exceptions
21 to the Supplemental Report of Referee, Subbasin No. 10 (Kittitas),
22 which contains the Court's rulings on all the exceptions to the
23 supplemental report. The Court received numerous objections to the
24 Memorandum Opinion and held a hearing August 11, 2005. The Court
25 then issued its Memorandum Opinion and Order Re: Objections to
26 Proposed Conditional Final Order, Subbasin No. 10 (Kittitas) dated
27 December 4, 2006 resolving all objections.

28 V.

The Court ORDERS as follows:

1. The Report of Referee for Subbasin No. 10 (Kittitas), filed with the Court on October 23, 2002, as modified by the following:

1 a. The Order On Exceptions Subbasin 10 (Kittitas) dated
2 December 12, 2002;

3 b. The Supplemental Report of Referee for Subbasin No. 10
4 (Kittitas), filed with the Court on February 27, 2004;

5 c. The Court's May 18, 2005, Memorandum Opinion and Order Re:
6 Exceptions to the Supplemental Report of Referee, Subbasin No. 10
7 (Kittitas);

8 d. The Memorandum Opinion and Order Re: Objections to
9 Proposed Conditional Final Order, Subbasin No. 10 (Kittitas) dated
10 December 4, 2006;

11 are entered as a Conditional Final Order confirming the
12 rights recommended for confirmation in said reports as existing
13 rights.

14 2. All claims to water rights before the Referee or Court
15 pertaining to Subbasin No. 10 not so confirmed are denied.

16 3. The rights within Subbasin No. 10 (Kittitas) shall be
17 administered according to this Conditional Final Order.

18 4. This Conditional Final Order, relating to the confirmation of
19 rights and denial of claims of water rights, constitutes a final
20 order for purposes of appeal (see RAP 2.2(d)), except for purposes
21 of final integration of all confirmed rights as provided in
22 Section XII of Pretrial Order No. 8 (Procedures for Claim
23 Evaluation, dated March 3, 1989) of this Court.

24 DATED this 4th day of December, 2006.

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27 SIDNEY P. OTTEM, COURT COMMISSIONER
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