



KLAMATH MITIGATION FUND

**CRITERIA AND PROCEDURES FOR PAYMENT
OF CLAIMS FOR PROPERTY DAMAGES ASSOCIATED WITH
DAM REMOVAL IN LOWER KLAMATH PROJECT**

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Klamath Mitigation Fund Document

The Administrators of the Klamath Mitigation Fund (Fund) adopt these criteria and procedures for payment of claims related to property damages associated with removal of the dams of the Lower Klamath Project.

I. INTRODUCTION

The Klamath Mitigation Fund (Fund) is a voluntary compensation program related to property damages that may be caused by the removal of the four dams (and related actions) in the Lower Klamath Project. These dams are: J.C. Boyle, Copco No. 1 and 2, and Iron Gate.

In November 2022, the Federal Energy Regulatory Commission approved the surrender of the license for the Lower Klamath Project. The order requires: removal of the four dams and related facilities, as well as restoration of fish and wildlife habitat within the Project boundaries. That order is now final.

The Klamath River Renewal Corporation (Renewal Corporation) is implementing this license surrender order. It is undertaking preparatory work in 2023, and reservoir drawdown and dam removal will occur in 2024.

The Federal Power Act reserves claims for damages alleged to have been caused by the activities of a licensee under its license. While the Definite Plan for the Lower Klamath Project is intended to avoid or minimize any damages associated with dam removal, the Renewal Corporation is committed to use the Fund, as well as insurance and other mechanisms, to address any claims for damages. We provide “Frequently Asked Questions” for further context and explanation (**Attachment 1**).

Fund Purpose

The Renewal Corporation establishes the Fund to resolve claims for physical damages to private properties that may be caused by dam removal, without the need for litigation.

Voluntary Participation

Participation in the Fund is entirely voluntary for property owners facing potential damages related to well production, rim instability around Copco Reservoir, or flood risks below Iron Gate Dam.

If a property owner participates, the Fund Administrators will follow the criteria and procedures stated in this document. Upon confirming that a claim is eligible, they will

offer payment in a claim settlement. If the owner accepts the amount, agrees to waive the right to litigate the settled claim, and signs the claim settlement, the Fund will promptly pay as specified in the claim settlement.

In the alternative, a property owner may decline to file a claim, decline to accept the payment amount offered by the Fund Administrators, or decline to sign the waiver (Section V) required by this Fund Document for any compensation. In that event, the Fund will not provide compensation. And any property owner may elect to sue the Renewal Corporation or seek any other legal remedy under applicable law. The Renewal Corporation retains all of its rights to address claims, including defense in litigation, as appropriate outside of this Fund.

Property owners have the right to be represented by their own counsel in all aspects of this program – filing a claim, reviewing a settlement offer, and deciding whether to accept the waiver.

Administration

The Fund is administered by Fund Administrators. They will apply the criteria and procedures stated in this document to evaluate claims and determine payments to property owners for such damages. The Fund Administrators will make these decisions and will not seek the approval of the Renewal Corporation.

This document controls the Klamath Mitigation Fund. The Fund Administrators will administer the criteria and procedures stated in this document. Oral statements by Fund Administrators or any other entity do not modify the procedures and criteria stated in this document.

The Renewal Corporation retains discretion to modify this document, which would occur in written form and with notice to potentially affected property owners.

Scope of Coverage

The Fund Administrators will provide compensation to property owners with Eligible Claims (defined below) for:

- Reduced production in groundwater wells adjacent to Copco or Iron Gate Reservoir (Section II).
- Temporary relocation from properties that are at significant risk of slumping or other rim instability during drawdown of Copco Reservoir (as shown in

Attachment 2 Sheet 1); and any damages to homes or underlying lands caused by such drawdown (Section III).

- Increased risk of flooding for dwellings and certain other structures on properties downstream of Iron Gate Dam and upstream of Humbug Creek (as shown in **Attachment 2** Sheets 4 - 5) (Section IV).

Definitions

This Fund Document uses the following defined terms.

Definite Plan: the package of plans approved by the Federal Energy Regulatory Commission for the purpose of the Renewal Corporation's compliance with the license surrender order. These plans state the specifications for reservoir drawdown, dam removal, and habitat restoration.

Eligible Claim: a claim that meets the eligibility criteria stated in this Fund Document.

FERC: Federal Energy Regulatory Commission, which licensed the Lower Klamath project as Project no. 14803.

Fund Administrators: Joan Smith and Monte Mendenhall.

Fund Document: this document, which states the criteria and procedures for compensation under the Klamath Mitigation Fund. This document governs compensation decisions by the Fund Administrators. No other document governs such decisions.

Klamath River Renewal Corporation or Renewal Corporation: a non-profit corporation incorporated in the State of California. It is the co-licensee for the Lower Klamath Project with the States of California and Oregon, as well as the owner of dams and lands within the licensed boundaries of the Project.

License Surrender Order: the order issued by FERC approving license surrender for the Lower Klamath Project. The legal citation is: *PacifiCorp*, 181 FERC ¶ 61,122 (2022). Fund Administrators will provide an electronic copy of this order to a Claimant on request.

Lower Klamath Project or Project: FERC Project no. 14803, licensed to the Renewal Corporation and the States of California and Oregon.

Mail: mail through U.S. Postal Service, Federal Express, UPS, messenger service, or other trackable service; or electronic mail.

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100-Year Flood: the flood expected to occur on a frequency of once every 100 years.

100-Year Floodplain: the lands mapped as submerged by the 100-year flood. A map of this floodplain below Iron Gate Dam is included in **Attachment 2** (Sheets 4 - 5).

Ordinary High-Water Mark: the ordinary elevation of a reservoir at maximum storage when not spilling water through the spillway. For purposes of well production claims, the boundary of 1,000 feet from the ordinary high-water mark of Copco and Iron Gate Reservoirs, respectively, is shown in **Attachment 2** (Sheets 2 - 3).

Waiver and Claim Release: the decision by a Claimant to waive the right to litigate an Eligible Claim, and to release that claim, upon acceptance of compensation from this Fund related to those same claims. See Section V for description of waiver, including the entities covered by this waiver.

II. LOSS IN WELL PRODUCTION

The Fund will address claims related to loss in well production, following the criteria and procedures stated below.

Eligibility Criteria

1. Claimant owns property within 1,000 feet of the Ordinary High-Water Mark of Copco Reservoir or Iron Gate Reservoir.
 - a. “Owns” means that the Claimant holds fee title to the property.
 - b. If fee title is held by multiple entities, only one claim may be filed for that property, whether by one or multiple owners. The Claimant must provide written authorization from other owners to file the Claim. This authorization is **Form O-1**.
 - c. If a property is leased to a non-owner, the owner may file the claim, or may provide written authorization to the lessee to file the claim, in which event the lessee may file the claim. Or another authorized agent may file the claim with such written authorization from the owner. The authorization for a non-owner to file is **Form O-1**. In any event, only one claim related to well production loss may be awarded under this Fund for a given property.
2. Claimant operates a well on the property. The procedures vary depending upon whether the property is adjacent to Copco Reservoir or Iron Gate Reservoir.

Procedures and Award Criteria for Property Adjacent to Copco Reservoir

3. Fund Administrators will mail an introductory letter to property owners who are potentially eligible under the Fund. *Due: March 1, 2023.*
4. Fund Administrators will mail a letter to property owners within 1,000 feet of Copco Reservoir. This letter will offer a payment of \$5,000 per paragraph 5, or a different amount if the Claimant uses the procedure stated in paragraph 6. *Due: March 31, 2023.*
5. Claimant will submit a Well Production Claim (Simple) to the Fund Administrators. This Claim form is **Form W-1**.

- a. The Claimant must provide all required information, attach a photo of the well on the property, and sign the waiver with respect to claims related to well production on this property (see Section V). *Due: May 15, 2023.*
 - b. Upon determination that a form is complete and consistent with these criteria and procedures, the Fund Administrators will counter-sign the Well Production Claim (Simple). They will issue an upfront payment of \$5,000 as compensation for potential loss in well production at that property. *Due: May 31, 2023.*
 - c. Upon determination that a form is incomplete or not consistent with the criteria stated in this paragraph 5, the Fund Administrators will deny the Claim.
6. As an alternative to acceptance of \$5,000 per paragraph 5, a property owner may submit a Well Production Demonstrated Impact Claim (Copco Reservoir). A property owner must notify the Fund Administrators of your intent to submit a Well Production Demonstrated Impact Claim (Copco Reservoir). *Due date for notice: May 31, 2023.* This form is **Form W-2**. *Due date for Claim itself: October 31, 2024.* This form is **Form W-3**.
- a. Before submittal of that Claim form, a Claimant must install and operate a device to monitor the level of the well. Such monitoring must start by May 1, 2023, which precedes drawdown of Copco Reservoir to establish a pre-drawdown baseline. Monitoring must continue until September 30, 2024. This date is nine months after drawdown of Copco Reservoir is expected to begin. The Fund Administrators may adjust this deadline if drawdown begins later than expected.
 - b. The Claimant will be responsible for the expense of such well monitoring device and its operation. The Fund will not cover such expense.
 - c. As an attachment to **Form W-2**, the Claimant must include the Well Completion Report for the well as filed with the State of California under Water Code section 13751, or a well permit issued by Siskiyou County.
 - d. The Claimant must provide proof of installation of the device, as well as the monitoring data, to the Fund Administrators. This is **Form W-3**. *Due: October 31, 2024.*
 - e. Upon receipt of such data, the Fund Administrators will engage a registered engineer to conduct an independent review of the data to determine whether

well production declined during the monitoring period as a result of reservoir drawdown (as distinct from other potential causes).

- f. The engineer will submit a written analysis and conclusion, including recommendation, to the Fund Administrators, copied to the Claimant. The Claimant may respond.
- g. If the engineer concludes that reservoir drawdown is shown to have caused a loss in well production, the Fund Administrators will propose to award one of the following amounts, taking into account the engineer's recommendation: \$2,500 to install a new well pump, \$15,000 to extend an existing well, or \$40,000 to drill a new well. The Fund Administrators will communicate this award amount to the Claimant. They will provide an unsigned form of Well Production Demonstrated Impact Claim (Copco Reservoir) - Settlement for the Claimant's review. The form is **Form W-4**. *Due: November 15, 2024.*
- h. The Claimant will sign the Well Production Demonstrated Impact Claim (Copco Reservoir) - Settlement, if the Claimant decides to accept the award amount. The Claimant must agree to the waiver and release with respect to any claim related to loss in well production. *Due: December 15, 2024.*
- i. Upon receipt of the Well Production Demonstrated Impact Claim (Copco Reservoir) - Settlement signed by the Claimant, the Fund Administrators will counter-sign the form. They will then issue payment. *Due: December 31, 2024.*
- j. The Fund Administrators will deny a claim which is not consistent with the criteria and procedures stated in this paragraph 6.

Procedures and Award Criteria Property Adjacent to Iron Gate Reservoir

7. Fund Administrators will mail an introductory letter to property owners who are potentially eligible under the Fund. *Due: March 1, 2023.*
8. Fund Administrators will mail a letter to property owners within 1,000 feet of Iron Gate Reservoir. This letter will explain that an impact is not expected based on the hydrology and well elevations. *Due: March 31, 2023.*
9. Because scientific record shows that such wells are very probably not connected to the reservoir level, the procedure for compensation of well production loss at such properties is stated in paragraph 10.

10. A property owner must notify the Fund Administrators of your intent to submit Well Production Demonstrated Impact Claim (Iron Gate Reservoir). *Due date for notice: May 31, 2023.* This form is **Form W-5**. *Due date for Claim itself: October 31, 2024.* This form is **Form W-6**.
- a. Before filing the Claim, the Claimant must install and operate a device to monitor the level of the well. Monitoring must start by May 1, 2023, which precedes drawdown of Iron Gate Reservoir, to establish a pre-drawdown baseline. Monitoring must continue until September 30, 2024. This date is nine months after drawdown of Iron Gate is expected to begin. The Fund Administrators may adjust this deadline if drawdown begins later than expected.
 - b. The Claimant will be responsible for the expense of the monitoring device and operation. The Fund will not cover such expense.
 - c. As an attachment to **Form W-5**, the Claimant must include the Well Completion Report for the well as filed with the State of California under Water Code section 13751, or a well permit issued by Siskiyou County.
 - d. The Claimant must provide proof of installation of the device, as well as the monitoring data, to the Fund Administrators. *Due: October 31, 2024.*
 - e. The Fund Administrators will engage a registered engineer to review the data to determine whether well production declined during the monitoring period as a result of reservoir drawdown.
 - f. The engineer will submit a written conclusion, including recommendation, to the Fund Administrators, copied to the Claimant.
 - g. If the engineer concludes that reservoir drawdown caused a loss in well production, the Fund Administrators will propose to award one of the following amounts, taking into account the engineer's recommendation: \$2,500 to install a new well pump, \$15,000 to extend an existing well, or \$40,000 to drill a new well. The Fund Administrators will communicate this award amount to the Claimant. They will provide an unsigned form of Well Production Demonstrated Impact Claim (Iron Gate Reservoir) - Settlement for the Claimant's review. The form is **Form W-7**. *Due: November 15, 2024.*

- h. The Claimant will sign the Well Production Demonstrated Impact Claim (Iron Gate Reservoir) – Settlement, if the Claimant decides to accept the award amount. The Claimant must agree to the waiver and claim release with respect to potential loss in well production. *Due: December 15, 2024.*
- i. Upon receipt of the Well Production Demonstrated Impact Claim (Iron Gate Reservoir) – Settlement signed by the Claimant, the Fund Administrators will counter-sign the form. They will then issue payment. *Due: December 31, 2024.*
- j. The Fund Administrators will deny a claim which is not consistent with the criteria and procedures stated in this paragraph 10.

Procedures Applicable to All Claims related to Loss in Well Production

- 11. Participation in the Fund is entirely voluntary. A property owner may decline to file a Claim related to well production loss, decline to accept an award offered by the Fund Administrators, or decline to sign the waiver (Section V) required for any compensation. In that event, the Fund will not provide compensation related to well production loss. Absent settlement under the Fund, any property owner may elect to sue the Renewal Corporation or seek any other legal remedy under applicable law. Similarly, the Renewal Corporation retains all of its rights to address claims outside of the Fund, including defense against such litigation.
- 12. A property owner may involve an attorney or other personal agent for advice or representation in the procedures related to well production loss.
 - a. Any such agent must comply with the requirement that communications with the Fund Administrator are confidential.
 - b. The Fund Administrators will not modify the criteria and procedures stated herein, through communications with the property owner, attorney, or other personal agent.
- 13. The Fund Administrators will communicate with the Claimant to request needed information, address deficiencies in a claim form, and otherwise assure that any approved claim is consistent with the Fund Document.
- 14. The Fund, Fund Administrators, and the Renewal Corporation will not have any responsibility for the design, construction, operation, and maintenance of any well improvement covered by this Fund.

Schedule at a Glance

| Date | Action |
|---|--|
| March 1, 2023 | Fund Administrators send introductory letter to potential Claimants. |
| March 31, 2023 | Fund Administrators send impact letters to potential Claimants with eligibility and process. |
| Simple Claim | |
| May 15, 2023 | For any Claimant filing a Simple Claim, provide required information, attach a photo of the well on the property, and sign the waiver with respect to claims related to well production on this property. |
| May 31, 2023 | Upon determination that a form is complete and consistent with these criteria and procedures, the Fund Administrators will notify the Claimant and will issue \$5,000 as compensation for any well production loss at that property. |
| Demonstrated Impact Claim | |
| May 1, 2023 | Required date to install and operate a device to monitor the level of the well and establish a pre-drawdown baseline. |
| May 31, 2023 | The Claimant must file a notice indicating their intent to file a Demonstrated Impact Claim. |
| September 30, 2024 (or nine months after Reservoir drawdown begins, whichever is later.) | Deadline for monitoring for any Claimant filing a Demonstrated Impact Claim. |
| October 31, 2024 | The Claimant must file the completed Demonstrated Impact Claim. The claim must include proof of installation of the monitoring device, as well as the monitoring data, to the Fund for engineer's review. |
| November 15, 2024 | If the engineer concludes that reservoir drawdown caused a loss in well production, the Fund Administrators will communicate an award amount to the Claimant. |
| December 15, 2024 | If they decide to accept the award, the Claimant will sign the Settlement and waiver regarding any claim related to loss in well production. |
| December 31, 2024 | The Fund Administrators will countersign the Settlement and issue payment. |

III. RIM INSTABILITY AROUND COPCO RESERVOIR

Drawdown of Copco Reservoir may cause instability in the land slope between the ordinary high-water mark and the rim. Such instability may cause damage to adjacent properties. The Fund will address claims related to rim instability, following the criteria and procedures below.

Eligibility Criteria

15. Claimant owns property adjacent to the rim of Copco Reservoir (Property), and the property is subject to potential risk of rim instability during reservoir drawdown according to engineering analysis by the Renewal Corporation, as shown in Attachment 2 (Sheet 1). Owners of such properties will receive letters from the Fund Administrators per paragraph 17.
 - a. “Owns” means that the Claimant holds fee title to the property.
 - b. If fee title is held by multiple entities, only one claim may be filed for that property, whether by one or multiple owners. The Claimant must provide written authorization from other owners to file the Claim. This authorization is **Form O-1**.
 - c. If a property is leased to a non-owner, the owner may file the claim, or may provide written authorization to the lessee to file the claim, in which event the lessee may file the claim. Or another authorized agent may file the claim with such written authorization from the owner. The authorization for a non-owner to file the claim is **Form O-1**.
 - d. Only one claim related to temporary relocation may be awarded from the Fund for a given property.
 - e. Only one claim related to demonstrated impacts of rim instability may be awarded from the Fund for a given property.

Procedures and Award Criteria related to Temporary Relocation from Property Adjacent to Copco Reservoir

16. Fund Administrators will mail an introductory letter to property owners who are potentially eligible under the Fund. *Due: March 1, 2023.*
17. Fund Administrators will mail a letter to property owners whose properties are potentially at risk of damage caused by slope instability during and following

drawdown of Copco Reservoir. The letter will state if the engineering analysis by the Renewal Corporation suggests a potential for rim instability. *Due: March 31, 2023.*

18. For each property with a habitable structure that is identified to potential be at risk for rim instability, the Fund Administrators will offer to compensate the property owner for the cost of temporary relocation from their dwelling on that property. The property owner must represent that the habitable structure on the property identified by the engineering analysis (paragraph 17) is currently occupied. The offer will cover relocation for the period January 1, 2024 through June 30, 2024. This period is when reservoir drawdown will occur and any slope instability, if any, would be most likely to occur. As the Renewal Corporation will monitor rim stability before, during, and after this period, the Fund Administrators may offer to extend the period for such compensation. Such compensation will be at the per diem rate set by the U.S. General Services Administration for Siskiyou County, California.
 - a. A property owner will file a Temporary Relocation Claim – Settlement, if the Claimant decides to accept the per diem rate for temporary relocation. The Claimant must sign the waiver (see Section V) with respect to claims related to temporary relocation. The form is **Form R-1**. *Due: October 31, 2023.*
 - b. Upon receipt of the Temporary Relocation Claim – Settlement signed by the Claimant, the Fund Administrators will countersign the form. They will then issue payment. *Due: November 30, 2023.*
 - c. The Fund Administrators will deny a claim which is not consistent with the criteria and procedures stated in this paragraph 18.

Procedures and Award Criteria Related to Demonstrated Impact of Rim Instability

19. The Renewal Corporation will monitor the rim around Copco Reservoir for any potential slope instability, from January 1 – December 31, 2024, subject to possible extension. The Renewal Corporation will provide a report on monitoring data, including potential slumping in adjacent properties, to the Fund Administrators.
20. A property owner may file a Rim Instability Demonstrated Impact Claim with the Fund Administrator to address slumping and any related damages to structures on the property. The form is **Form R-2**. *Due: December 31, 2024.*

- a. The Fund Administrators will review the Claim. The Fund Administrators will review the report provided by the Renewal Corporation with respect to monitored data related to slumping, to confirm that the slumping addressed in the claim relates to reservoir drawdown.

Upon determination that the Claim is complete and consistent with these criteria, the Fund Administrators will offer an award amount in compensation for the loss of that part of the property that is not stable or usable due to slumping. The amount will be based on the assessed value for the property and the percentage of the property that is impacted. The offer will be in a Rim Instability Demonstrated Impact – Settlement. They will send the form unsigned to the Claimant. The form is **Form R-3**. *Due: January 31, 2025.*

- b. The Claimant will sign the Rim Instability Demonstrated Impact Claim – Settlement as offered in paragraph 20(b), if the Claimant decides to accept the award amount. The Claimant must agree to the waiver with respect to such a Claims related to rim instability. *Due: February 28, 2025.*
- c. Upon receipt of a signed Rim Instability Demonstrated Impact Claim – Settlement, the Fund Administrators will counter-sign the form. They will issue payment. *Due: March 15, 2025.*
- d. The Fund Administrators will deny a claim which is not consistent with the criteria and procedures stated in this paragraph 20.

Procedures Applicable to All Claims related to Rim Instability

21. Participation in the Fund is entirely voluntary. A property owner may decline to file a claim related to rim instability, decline to accept an award offered by the Fund Administrators, or decline to sign the waiver (Section V) required for any compensation. In that event, the Fund will not provide compensation. Absent settlement under the Fund, any property owner may elect to sue the Renewal Corporation or seek any other legal remedy under applicable law. Similarly, the Renewal Corporation retains all of its rights to address claims outside of the Fund, including defense against such litigation.
22. A property owner may involve an attorney or other personal agent for advice or representation in the procedures related to rim instability.

- a. Any such agent must comply with the requirement that communications with the Fund Administrator are confidential.
 - b. The Fund Administrators will not modify the criteria and procedures stated herein, through communications with the property owner, attorney, or other personal agent.
23. The Fund Administrators will communicate with the Claimant to request needed information, address deficiencies in a claim form, and otherwise assure that any approved claim is consistent with the Fund Document.
24. The Fund, Fund Administrators, and the Renewal Corporation will not have any responsibility for the design, construction, operation, and maintenance of any improvement covered by this Fund.

Schedule at a Glance

| Date | Action |
|--|--|
| March 1, 2023 | Fund Administrators send introductory letter to potential Claimants. |
| March 31, 2023 | Fund Administrators mail a letter to property owners whose property is potentially at risk of damage caused by slope instability during and following drawdown of Copco Reservoir. |
| <u>Temporary Relocation Claim</u> | |
| October 31, 2023 | A property owner files a Temporary Relocation Claim – Settlement and waiver with respect to claims related to temporary relocation. |
| November 30, 2023 | The Fund Administrators will countersign the Settlement and issue payment. |
| <u>Demonstrated Impact Claim</u> | |
| December 31, 2024 | A property owner may file a Rim Instability Demonstrated Impact Claim to address slumping and any related damages to structures on the property. |
| January 31, 2025 | Upon determination that the claim is complete and consistent with these criteria, the Fund Administrators will offer an award amount to purchase that part of the property that is not stable or usable due to slumping. |
| February 28, 2025 | If they accept the award, the Claimant will sign the Settlement and waiver with respect to claims related to rim instability. |
| March 15, 2025 | The Fund Administrators will countersign the Settlement and issue payment. |

IV. FLOOD RISK FOR PROPERTY IN THE 100-YEAR FLOODPLAIN DOWNSTREAM OF IRON GATE DAM

Removal of Iron Gate Dam will result in an increase in the level (stage) of flood flows on riparian lands downstream of the dam site. Scientific evidence shows that the flow stage may increase by 6 to 24 inches during the 100-Year Flood. The Fund Administrators will address claims related to flood risk, following the criteria and procedures stated below.

Eligibility Criteria

25. Claimant owns property riparian to the Klamath River downstream of the site of Iron Gate Dam and upstream of Humbug Creek (“Property”), and that property is subject to additional flood risk associated with the removal of the four dams of the Lower Klamath Project, according to engineering analysis by the Renewal Corporation (Attachment 2). Owners of such properties will receive letters from the Fund Administrators per paragraphs 28 and 32.
 - a. “Owns” means that the Claimant holds fee title to the property.
 - b. If fee title is held by multiple entities, only one claim may be filed for that property, whether by one or multiple owners. The Claimant must provide written authorization from other owners to file the Claim. This authorization is **Form O-1**.
 - c. If a property is leased to a non-owner, the owner may file the claim, or may provide written authorization to the lessee to file the claim, in which event the lessee may file the claim. Or another authorized agent may file a claim upon written authorization from the owner. The authorization for a non-owner to file is **Form O-1**. In any event, only one claim related to flood risk may be awarded from the Fund for flood risk associated with a given property.
26. The property includes a habitable structure, a structure that generates revenue (such as a restaurant), or infrastructure (such as a power box) that supports such a structure. The Fund will not cover damages to other structures.

Procedures and Award Criteria for Riparian Property with a Structure in the 100-Year Floodplain for the First Time

27. Fund Administrators will mail an introductory letter to property owners who are potentially eligible under the Fund. *Due: March 1, 2023.*

28. Fund Administrators will mail a letter to property owners whose property includes an existing structure that will for the first time be located in the 100-year floodplain as a result of the removal of Iron Gate Dam and the increased flow stage. *Due: March 31, 2023.*
29. The property owner may file a Flood Risk Claim (Existing Structure, Expanded Floodplain). The form is **Form F-1**. *Due: May 31, 2023.*
 - a. The Claim must include a bid from a licensed contractor for any flood improvement costing less than \$25,000. The Claim must include bids from two licensed contractors for any flood improvement expected to cost more than \$25,000. If the Claim does not comply with this requirement, the Fund Administrators will reject it, unless they elect to obtain a bid estimate for such flood improvement using registered engineers employed by the Renewal Corporation or its contractors.
 - b. The Fund Administrators will review the Claim. Upon determination that the Claim is complete and consistent with these criteria, the Fund Administrators will propose an award amount of 100% of the least-cost bid. The proposal will be in a Flood Risk Claim (Existing Structure, Expanded Floodplain) – Settlement. They will send the form unsigned to the Claimant. The form is **Form F-2**. *Due: June 15, 2023.*
 - c. The Claimant will sign the Flood Risk Claim (Existing Structure, Expanded Floodplain) – Settlement, if the Claimant decides to accept the award amount. The Claimant must sign the waiver with respect to claims related to the flood risk. *Due: June 30, 2023.*
 - d. Upon receipt of the Flood Risk Claim (Existing Structure, Expanded Floodplain) – Settlement signed by the Claimant, the Fund Administrators will countersign the form. They will issue payment. *Due: July 15, 2023.*
 - e. The Fund Administrators will deny a claim which is not consistent with the criteria and procedures stated in this paragraph 29.

Procedures and Award Criteria for Riparian Property with an Existing Structure Currently within the 100-Year Floodplain

30. Fund Administrators will mail an introductory letter to property owners who are potentially eligible under the Fund. *Due: March 1, 2023.*

31. Fund Administrators will mail a letter to property owners whose property includes a structure that is currently located in the 100-year floodplain. *Due: March 31, 2023.*
32. The property owner may file a Flood Risk Claim (Existing Structure, Existing Floodplain). The form is **Form F-3**. *Due: May 31, 2023.*
 - a. The Claim must include a bid from a licensed contractor for a flood improvement to protect eligible structure against additional flood risk. For this purpose, “additional flood risk” means that a floor (or level) in the structure not currently subject to flooding in the 100-year flood will be subject to flooding to some extent. If the Claim does not comply with this requirement, the Fund Administrators will reject it, unless they may elect to obtain a bid estimate for such flood improvement using registered engineers employed by the Renewal Corporation or its contractors.
 - b. The Fund Administrators will review the Claim. Upon determination that the Claim is complete and consistent with these criteria, the Fund Administrators will offer an award amount of 50% of the bid. The offer will be in a Flood Risk Claim (Existing Structure, Existing Floodplain) – Settlement. They will send the form unsigned to the Claimant. The form is **Form F-4**. *Due: June 15, 2023.*
 - c. The Claimant will sign the Flood Risk Claim (Existing Structure – Existing Floodplain) – Settlement, if the Claimant decides to accept the award amount. The Claimant must sign the waiver with respect to claims related to the flood risk. *Due: June 30, 2023.*
 - d. Upon receipt of the Flood Risk Claim (Existing Structure – Existing Floodplain) – Settlement signed by the Claimant, the Fund Administrators will counter-sign the form. They will then issue payment. *Due: July 15, 2023.*
 - e. The Fund Administrators will deny a Claim which is not consistent with the criteria and procedures stated in this paragraph 32.

Procedures Applicable to All Claims Related to Flood Risk

33. Participation in the Fund is entirely voluntary. A property owner may decline to file a claim related to flood risk, decline to accept an award offered by the Fund Administrators, or decline to sign the waiver (Section V) required for any compensation. In that event, the Fund will not provide compensation related to

such flood risk. Absent settlement under the Fund, any property owner may elect to sue the Renewal Corporation or seek any other legal remedy under applicable law. Similarly, the Renewal Corporation retains all of its rights to address claims outside of the Fund, including defense against such litigation.

34. A property owner may involve an attorney or other personal agent for advice or representation in the procedures related to slope instability.
 - a. Any such agent must comply with the requirement that communications with the Fund Administrator are confidential.
 - b. The Fund Administrators will not modify the criteria and procedures stated herein, through communications with the property owner, attorney, or other personal agent.
35. The Fund Administrators will communicate with the Claimant to request needed information, address deficiencies in a claim form, and otherwise assure that any approved claim is consistent with the Fund Document.
36. The Fund, Fund Administrators, and Renewal Corporation will not have any responsibility for the design, construction, operation, and maintenance of any flood improvement covered under this Fund.

Schedule at a Glance

| Date | Action |
|-----------------------------------|---|
| March 1, 2023 | Fund Administrators send introductory letter to potential Claimants. |
| March 31, 2023 | Fund Administrators mail a letter to eligible property owners whose property includes a habitable structure with increase of flood risk. |
| <u>Expanded Floodplain</u> | |
| May 31, 2023 | Property owner may file a Flood Risk Claim and licensed contractor flood improvement bid(s). One bid is required for improvements less than \$25,000. Two bids are required for improvements over \$25,000. |
| June 15, 2023 | Upon determination that the Claim is complete and consistent with these criteria, the Fund Administrators will propose an award amount of 100% of the least-cost bid. |

| | |
|----------------------------|---|
| June 30, 2023 | If they decide to accept the award, the Claimant will sign the Flood Risk Claim and Settlement and waiver with respect to claims related to the flood risk. |
| July 15, 2023 | The Fund Administrators will countersign the Settlement and issue payment. |
| Existing Floodplain | |
| May 31, 2023 | The property owner may file a Flood Risk Claim and licensed contractor flood improvement bid. |
| June 15, 2023 | Upon determination that the Claim is complete and consistent with these criteria, the Fund Administrators will propose an award amount of 50% of the bid. |
| June 30, 2023 | If they decide to accept the award, the Claimant will sign the Settlement and waiver with respect to claims related to the flood risk. |
| July 15, 2023 | The Fund Administrators will countersign the Settlement and issue payment. |

V. WAIVER REQUIREMENT

37. A property owner who elects to receive compensation under the Fund must sign the applicable form offered by the Fund Administrators.
38. In addition to stating the proposed payment, each Settlement form includes a waiver and release of the Claimant's right to litigate the claim covered by the Settlement, or otherwise seek additional damages on that claim. That waiver covers: the Fund and Fund Administrators, Renewal Corporation and its contractors Kiewit Infrastructure West and Resource Environmental Solutions, the States of California and Oregon, PacifiCorp, and their respective officers, agents, parents and affiliates. The Fund Administrators may issue payment only if a Claimant has unconditionally agreed to such waiver.
39. The waiver does not restrict the Claimant's right to express opinions about the Lower Klamath Project.

Attachment 1. Frequently Asked Questions

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**Klamath Mitigation Fund
Frequently Asked Questions**

March 2023

General Overview

1. What is the Klamath Mitigation Fund?

The Klamath Mitigation Fund (Fund) is a voluntary claims-based compensation program related to potential impacts from the removal of the four dams in the Lower Klamath Project: J.C. Boyle, Copco No. 1 and 2, and Iron Gate.

Independent Fund Administrators will evaluate and determine payments to eligible claimants for physical damages demonstrated to be caused by dam removal. Such payments (which will settle claims) will avoid the need for litigation to resolve such damages. In particular, the Fund will provide compensation to eligible property owners for:

- Temporary relocation to ensure safety for individuals with homes and/or underlying lands immediately adjacent to Copco Reservoir in the case of slumping or other instability in the reservoir slope during the period of reservoir drawdown as well as for any damages to homes or underlying lands as a result of slope instability.
- Increased risk of flooding for certain dwellings downstream of Iron Gate dam. Many of these structures are currently within the designated 100-year FEMA floodplain. The settlement will allow homeowners to create or modify berms, raise foundations, or take other actions to mitigate the impact of increased flow elevations during a 100-year flood event. (We expect that 100-year flood elevations will increase up to six to eighteen inches in some locations.)
- Potentially reduced production in groundwater wells that may be hydrologically linked to a reservoir. Wells must be within 1000 feet of Copco Reservoir to be eligible for compensation.

2. Who runs the Fund and makes compensation decisions?

The Fund Administrators are Joan Smith and Monte Mendenhall.

Mrs. Smith is well known in Siskiyou County, having previously served on the Yreka City Council and the Siskiyou County Board of Supervisors. She has also served as Executive Director of the Siskiyou County Farm Bureau, the Klamath Alliance for Resources and

Klamath Mitigation Fund
Frequently Asked Questions

Environment, and the Yreka Chamber of Commerce. Additionally, Mrs. Smith has 15 years of experience in corporate banking and finance.

Mr. Mendenhall recently retired from PacifiCorp where he served as the public affairs contact for Siskiyou County. He lived in Siskiyou County for many years and was an established local figure, with a breadth of public-facing experience specific to the project area. He now lives in Southern Oregon.

Both have deep roots in the area and an extensive history of public engagement. Together, they will oversee the Fund and make specific compensation decisions with individual property owners who fit within the Fund criteria. Each property owner will elect whether to enter into a settlement with respect to such claims; the Fund Administrators are available to facilitate this process.

3. What are the responsibilities of the Fund Administrators?

The Fund Administrators will manage the Klamath Mitigation Fund (Fund) and will independently administer the Fund based on criteria established from extensive technical analysis. They will organize information sessions by potential claim (slope stability, flood risk, and groundwater well impacts) to explain the analysis and approach, and ultimately make independent compensation decisions and manage settlements with individual property owners.

They will administer the Fund consistent with eligibility and award criteria stated in a Fund program document.

4. Is the Klamath Mitigation Fund the same as the Local Impact Mitigation Fund that the Klamath River Renewal Corporation has discussed in the past? If so, why the change in the name of the Fund?

Yes, this is the same concept as the Local Impact Mitigation Fund and will serve the same purpose previously shared with property owners.

As the Klamath Mitigation Fund is independently run, the Fund Administrators have chosen the title of the program they will administer.

5. What is the contact information for the Fund?

Email: klamathmitigationfund@gmail.com

Mailing Address:
PO Box 1532
Yreka, CA 96097

You may also find more information on the Fund's website: klamathmitigation.org.

Fund Criteria, Eligibility, and Details

6. What are the Fund criteria and what is the basis for these criteria?

The Fund's eligibility criteria determine which properties are eligible to participate in the Fund. The criteria are based on extensive technical analysis that determined which properties may experience physical impacts as a direct result of the Klamath dam removal project.

The Fund also has criteria for the award amount. In general, the Fund is limited to compensation for physical impacts. It does not cover claims like diminution in property value, loss of view, or loss of reservoir access.

Based on the established criteria, the Fund Administrators will determine any required proof of damage by the property owner and the amount of compensation available for specific physical impacts.

A property owner who reaches agreement with the Klamath Mitigation Fund regarding compensation will sign a written settlement. That will state the amount of compensation and will also waive the property owner's right to litigate the claims addressed by the compensation. Once the settlement is counter-signed, the Fund will write a check providing compensation to the property owner.

7. How much freedom will the Fund Administrators have to make fair decisions?

The Fund Administrators will implement the criteria established for the Klamath Mitigation Fund. These criteria reflect the fact that the Fund consists of public funds provided by the States of California and Oregon. The criteria assure that the Fund will operate in a manner consistent with law, including policies, applicable to use of these public funds.

The Fund Administrators have flexibility to address unforeseen impacts and negotiate on certain claims. For example, if a home needs a flood improvement and there is disagreement about the cost of that improvement, the Fund Administrators will have flexibility with respect to the amount of compensation. They cannot add new categories of eligible impacts or materially deviate from specified criteria, and they cannot administer the Fund in a manner that payments exceed the amount held by the Fund.

8. Will there be public meetings about the Fund?

Yes, the Fund Administrators will hold virtual information sessions by potential claim type (slope stability, flood risk, and well production impacts) to review the Fund criteria before running the Fund.

The Fund Administrators will manage and announce the details of these informational sessions.

Settlements will then occur in private exchanges, virtual or in-person, with individual property owners. Some property owners do not live in the area or prefer to limit in-person contact.

9. How much money is in the Fund? Where does the money come from?

The Fund amount was calculated to address all eligible claims. This amount was arrived at by identifying all potentially eligible properties, along with probable impacts and costs (such as the cost to implement flood mitigation measures on each affected property).

While it will be independently managed and operated by the Fund Administrators, the Fund must be managed in a way that is consistent with applicable law, including the legal requirements for public funding. The Fund utilizes public dollars, including resources from California's 2014 Proposition 1 and funding via the Public Utilities Commission.

10. The Fund states it will compensate for "demonstrated physical impacts." Can I demonstrate an impact in advance of dam removal?

"Demonstrated physical impacts" refers to physical impacts that are caused, or will be potentially caused, by the Klamath dam removal project.

The Fund criteria, and the technical analysis they are based on, determine which physical impacts from dam removal will be included in the Fund and which properties will be eligible for the Fund. Some examples include: if your home is subject to elevated flood risk because of dam removal based on mapping that shows the new expected water line in a 100-year flood event or if a well is identified in an area that may experience a groundwater impact from dam removal. In short, the Fund is compensating for several potential impacts, in advance of dam removal, so that property owners do not have to wait until after dam removal to make preparations.

The Fund will be run prior to dam removal to ensure that the property owners have sufficient time to address foreseeable impacts in advance. Fund criteria will specify the timing of running the Fund by impact (slope stability, flood risk, or well production impacts) and specifically any requirement to demonstrate that physical impacts have actually occurred. There are limited exceptions to the standard practice of offering payment in advance of an actual physical impact to homes and property.

For homes and property in the slope stability category, the impacts will not be known until after reservoir drawdown. Homes in this category will receive compensation based on an observed actual impact following drawdown. However, property owners in the slope stability category will be offered compensation for temporary relocation in

advance of dam removal. This payment will be offered whether or not the property owner chooses to relocate.

As noted earlier, property owners with groundwater wells are being offered a settlement before drawdown based on the assumption that wells might be impacted. The property owners who receive compensation for presumed impacts to groundwater wells are not obligated to return the settlement funds even if, after reservoir drawdown, no impact occurs. However, if a property owner plans to file a claim after drawdown, the well must be monitored six months before and after drawdown and the results of the well monitoring must be provided to the Fund Administrators. Monitoring must utilize specified equipment and protocols and the cost will be borne by the property owner and not the Fund. It is expected that only a small number of wells will actually experience an impact because it is likely that many wells are not hydrologically connected to the reservoir.

11. Why does the Fund only address physical impacts and not economic impacts, such as reduced property values due to the loss of the reservoirs?

The Fund consists of public funds dedicated to the public purpose of the Klamath dam removal project. These funds may not be used to compensate property owners for a real or perceived loss in property value that does not involve physical damages. Therefore, the Fund Administrators will not provide compensation for these nonphysical impacts.

12. How was it determined that eligible property owners compensated for well impacts would need to be located within 1,000 feet of Copco or Iron Gate Reservoirs?

The Fund parameter emanated from the State Water Resources Control Board Water Quality Certification (the 401 permit) (see below):

“To identify groundwater wells, the Licensee shall outreach to all residents and landowners within 1,000 feet of the California Project reservoirs to inquire about their groundwater wells. The outreach effort shall include information regarding the Local Impact Mitigation Fund, including information on any prerequisites to access the fund (e.g., if funding is dependent on participation in the groundwater monitoring effort).”

13. Will other wells located along the Klamath River and within the vicinity of the reservoirs, but outside of the 1,000-foot parameter, be compensated?

No. According to technical experts, properly installed wells located along the river are not expected to experience an impact. Because the river will continue to run before and after dam removal, the water level in the wells should not be affected even if the well is hydrologically connected to the river. The fine sediment released during dam removal

will not make its way through the earth and into a well on the river. The California State Water Resources Control Board concluded that most of the sediment that released will simply move down the river and to the ocean within about 24 months after reservoir drawdown and dam removal. The sediment is predominantly composed of dead algae and fine clay.

14. Is there a deadline to participate in the settlement process?

Yes. There will be a limited amount of time to participate in the process.

The Fund Administrators will set informational sessions by potential impact in March 2023 and begin running the Fund shortly thereafter. There will be a set amount of time for individual property owners to meet and agree to settlements with the Fund Administrators.

The Fund Administrators will be in touch with property owners about their specific potential impact(s) and the timing of running the Fund for that impact.

Others

15. Will my decision and my negotiation remain private?

Participation in the Fund is a confidential process. The Fund Administrators will not disclose who has chosen to settle, or for what amount, and there will be a confidentiality provision within the settlement agreement. If a claimant declines to settle and sues for damages, the existence of the claims process, and the outcome, will be made available to the court or other arbiter.

16. At one time KRRC reached out to homeowners about coming on our property to implement mitigation measures. Is that offer still in effect, or has it been replaced by cash compensation?

Due to feedback from homeowners during prior outreach, the Fund was selected as the best alternative. Providing funds in advance of dam removal also provides homeowners the opportunity to proactively address potential impacts in a manner they see fit. Property owners who settle a claim with the Fund will have the opportunity to make any improvements to address impacts. Neither the Klamath River Renewal Corporation (KRRC) nor any state or federal agency will construct the improvements. Retaining a qualified contractor is highly recommended.

17. What is KRRC's role in the Fund?

Klamath Mitigation Fund Frequently Asked Questions

The Klamath River Renewal Corporation (KRRC) is the owner and co-licensee for the Lower Klamath Project. It has no role in managing individual claims. The Fund Administrators have that role and responsibility. KRRC holds the funds that are available to the Fund Administrators to run the Klamath Mitigation Fund.

Attachment 2. KMF Eligibility Maps

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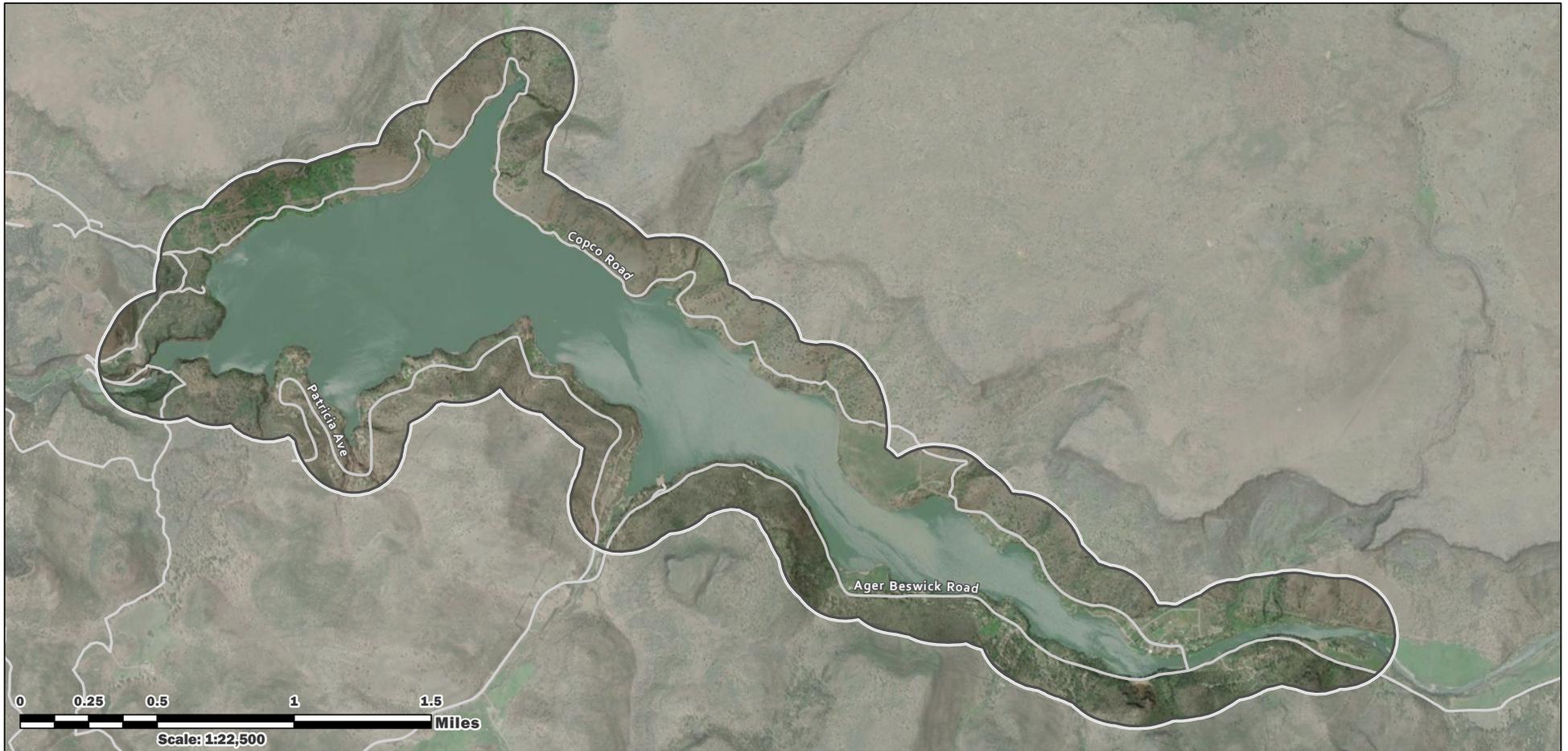
Legend

- Properties with Structures Potentially at Risk for Slope Instability
- Roads

* GEOMETRY: The geometry of the official Siskiyou County Parcel dataset was distorted and misaligned in many areas. Egregious errors were corrected with standard GIS methods to match the aerial imagery.

Lower Klamath Project
Klamath Mitigation Fund
Overview
 Sheet 1 of 5
 March 2023

APRX directory: C:\Users\UhlmannZachary\Box\MCMGIS\Project_Based\Klamath_River_Renewal_MJA\GIS_Request_Tracking\arcpro_maps\LKP_LIMF\LKP_LIMF.aprx Layout: oview1



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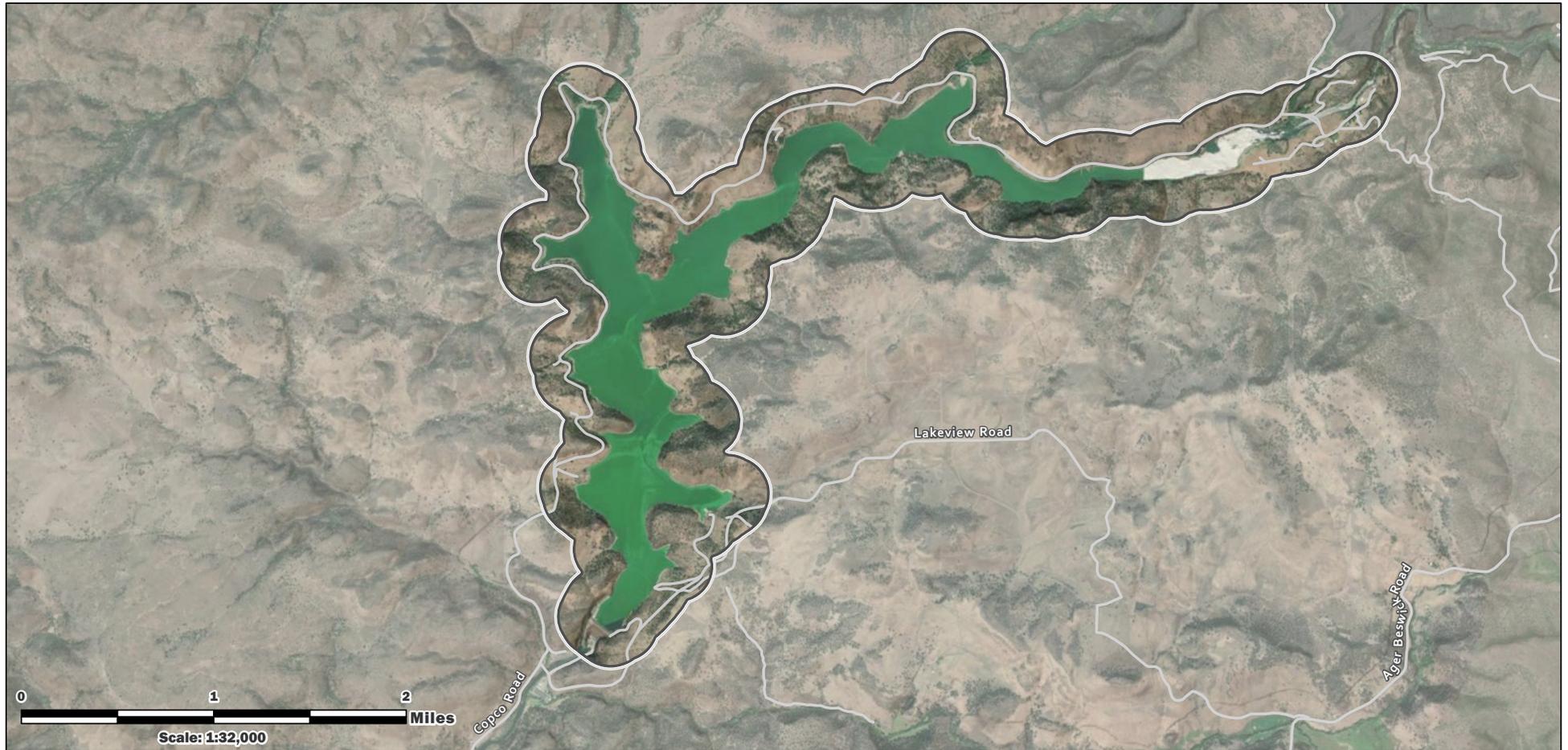
Legend

- 1,000 ft Buffer: Properties Eligible for Fund due to Possible Groundwater Well Production Impacts
- Roads

* GEOMETRY: The geometry of the official Siskiyou County Parcel dataset was distorted and misaligned in many areas. Egregious errors were corrected with standard GIS methods to match the aerial imagery.

Lower Klamath Project
Klamath Mitigation Fund
Overview
 Sheet 2 of 5
 March 2023

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Legend

- 1,000 ft Buffer: Properties Potentially Eligible for Fund due to Possible Groundwater Well Production Impacts
- Roads

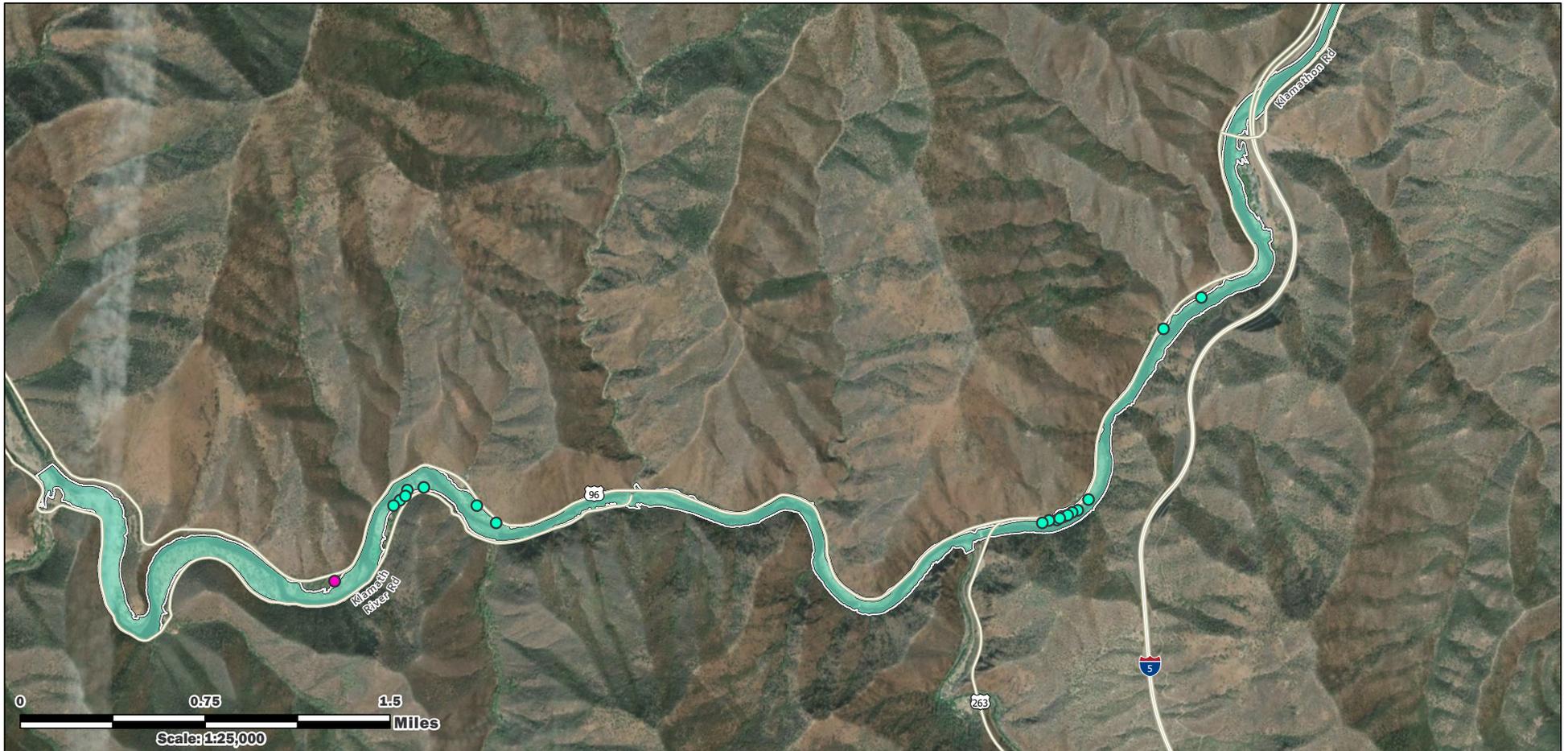
Lower Klamath Project
Klamath Mitigation Fund
Overview
 Sheet 3 of 5
 March 2023

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| | | | |
|--|--|---|--|
| | | <p>Legend</p> <ul style="list-style-type: none"> ● Structures in Existing Floodplain Eligible for Fund for Flood Improvements ● Structures in Floodplain Post-Dam Removal Eligible for Fund for Flood Improvements ▭ 100-year Floodplain Post-Dam Removal — Roads <p><small>* DATA SOURCES: 1) Flood Risk Structures: AECOM field reconnaissance and aerial imagery identification; 100 Year Floodplain: AECOM</small></p> | <p style="text-align: center;"><i>Lower Klamath Project</i> Klamath Mitigation Fund Overview Sheet 4 of 5 March 2023</p> |
|--|--|---|--|

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N

Legend

- Structures in Existing Floodplain Eligible for Fund for Flood Improvements
- Structures in Floodplain Post-Dam Removal Eligible for Fund for Flood Improvements
- ▬ 100-year Floodplain Post-Dam Removal
- ▬ Roads

* DATA SOURCES: 1) Flood Risk Structures: AECOM field reconnaissance and aerial imagery identification; 100 Year Floodplain: AECOM

Lower Klamath Project
**Klamath Mitigation Fund
 Overview**
 Sheet 5 of 5
 March 2023

APRX directory: C:\Users\UhlmannZachary\Box\MCMGIS\Project_Based\Klamath_River_Renewal_MJA\GIS_Request_Tracking\arcpro_maps\LKP_LIMF\LKP_LIMF.aprx Layout: oview4



Form W-1. Well Production Claim (Simple)

Due: May 15, 2023

Please complete this form and submit to:

Joan Smith
Fund Administrator
Klamath Mitigation Fund
P.O. Box 1532
Yreka, CA 96097
klamathmitigationfund@gmail.com

Contact Information

Name of Claimant:

Address for Property Adjacent to Copco Reservoir (Property):

Contact information:

Eligibility Criteria

An Eligible Claim must meet the criteria stated below.

The Property is located within 1,000 feet of the Ordinary High-Water Mark of Copco Reservoir.

- If you received the letter from the Klamath Mitigation Fund, titled “Re: Klamath Mitigation Fund – Eligibility for Groundwater Wells around Copco Reservoir,” then the Klamath Mitigation Fund has determined that the Property meets this criterion.

Claimant is the owner, or authorized agent of the owner, of the Property.

- If you are the owner, please attach a copy of your deed, a recent property tax bill, or any other reasonable evidence of ownership. If there are multiple owners, please attach Form O-1 confirming your authority from other owners to file this Claim.

- If you are not the owner, please attach Form O-1 confirming your authority from owner to file this Claim.
- The Klamath Mitigation Fund will only pay the owner or authorized agent for potential loss in well production at Property associated with the permanent drawdown of Copco Reservoir, incident to removal of the four dams of the Lower Klamath Project. Only one such payment will be made from the Fund for loss of well production at this Property.

There is a well on the Property.

- Please attach photo of the existing well.
- The well is currently operated.

Representation by Counsel

You have the right to be represented by your own counsel or other personal agent with respect to this claim.

Confidentiality

The Claimant, any authorized agent of the Claimant, and the Fund Administrators will not disclose communications related to this claim, except in compliance with California Evidence Code 1152 in the event of litigation.

Offer

A Fund Administrator will offer \$5,000 to address potential loss in well production (including quantity and quality) at each property that meets the eligibility criteria stated above.

If you sign this Well Production Claim (Simple), you agree to accept \$5,000 as payment for the potential loss of well production on your Property associated with the permanent drawdown of Copco Reservoir; and you agree to the waiver and claim release below.

A Fund Administrator will review this Claim to confirm that your Property meets the eligibility criteria stated above.

Upon receipt of a complete and signed Well Production Claim (Simple), a Fund Administrator will confirm eligibility and, if the Claim satisfies the eligibility criteria,

will counter-sign and will promptly arrange for payment of \$5,000 mailed to the contact information above.

Waiver and Claim Release

This offer of payment is for the purpose of resolving your Claim related to loss in well production at the Property associated with the permanent drawdown of Copco Reservoir, incident to removal of the four dams of the Lower Klamath Project. By signing below and accepting payment of \$5,000, you as Claimant agree to release any claim for any loss in well production at the Property associated with the drawdown of Copco Reservoir, incident to the removal of the four dams in the Lower Klamath Project.

This waiver and claim release covers:

- **Klamath Mitigation Fund and Fund Administrators**
- **Klamath River Renewal Corporation; its contractors, Kiewit Infrastructure West and Resource Environmental Solutions; and their subcontractors**
- **State of California**
- **State of Oregon**
- **PacifiCorp**
- **Their respective officers, agents, parents, and subsidiaries.**

This waiver does not limit the Claimant's right to express opinions about the Lower Klamath Project.

\\

Signatures by Claimant and Fund Administrator

By Claimant:

I confirm that the information I provided about the Property is correct. I agree to accept payment of \$5,000 for any loss in well production at the Property identified above associated with the permanent drawdown of Copco Reservoir, incident to the removal of the four dams of the Lower Klamath Project. I agree to the waiver and claim release as stated immediately above.

Date: _____

_____ [name of Claimant]

By Fund Administrator:

Having determined that this Claim is consistent with the Klamath Mitigation Fund Program Document, we will pay \$5,000 for potential loss in well production at the Property identified above associated with the permanent drawdown of Copco Reservoir, incident to the removal of the four dams of the Lower Klamath Project.

Date: _____

_____ Joan Smith
Fund Administrator,
Klamath Mitigation Fund



Form W-2. Notice of Intention to Submit a Well Production Demonstrated Impact Claim (Copco Reservoir)

Due to be submitted by Claimant: May 31, 2023

Please complete this form, sign, and return to:

Joan Smith
Fund Administrator
Klamath Mitigation Fund
P.O. Box 1532
Yreka, CA 96097
klamathmitigationfund@gmail.com

Contact Information

Name of Claimant:

Address for Property Adjacent to Copco Reservoir (Property):

Contact information:

Eligibility Criteria

An Eligible Claim must meet the criteria stated below.

The Property is located within 1,000 feet of the ordinary high-water mark of Copco Reservoir.

- If you received the letter from the Klamath Mitigation Fund, titled “Re: Klamath Mitigation Fund – Eligibility for Groundwater Wells around Copco Reservoir,” then the Klamath Mitigation Fund has determined that the Property meets this criterion.

Claimant is the owner, or authorized agent of the owner, of the Property.

- If you are the owner, please attach a copy of your deed, a recent property tax bill, or any other reasonable evidence of ownership. If there are multiple

owners, please attach Form O-1 confirming your authority from other owners to file this Claim.

- If you are not the owner, please attach Form O-1 confirming your authority from owner to file this claim.
- The Klamath Mitigation Fund will only pay the owner or authorized agent for potential loss in well production at Property. Only one such payment will be awarded from the Fund for loss of well production at this Property.

There is a well on the Property.

- Please attach photo of the existing well.
- The well is currently operated.

You installed and are operating a device to monitor the level of the well.

- Monitoring started by May 1, 2023. You intend to continue monitoring until September 30, 2024, or nine months after reservoir drawdown begins (whichever is later).
- You intend to provide proof of installation of the device, as well as all monitoring data, by October 31, 2024.
- You understand that, upon receipt of this data, the Fund Administrators will engage a registered engineer to review the data to determine whether well production declined during the monitoring period as a result of reservoir drawdown (as distinct from other causes). The engineer will submit a written conclusion, including recommendation, to a Fund Administrator, copied to you as Claimant. This will occur by November 15, 2024.

You attach the Well Completion Report for the well as filed under Water Code section 13751, or a well permit issued by Siskiyou County.

Representation by Counsel

You have the right to be represented by your own counsel or other personal agent with respect to this claim.

Confidentiality

The Claimant, any authorized agent of the Claimant, and Fund Administrators will not disclose communications related to this Claim, except in compliance with California Evidence Code 1152 in the event of litigation.

Signature by Claimant

Date: _____

_____ [name of Claimant]



Form W-3. Well Production Demonstrated Impact Claim (Copco Reservoir)

Due to be submitted by Claimant: October 31, 2024

Please complete this form, sign, and return to:

Joan Smith
Fund Administrator
Klamath Mitigation Fund
P.O. Box 1532
Yreka, CA 96097
klamathmitigationfund@gmail.com

Contact Information

Name of Claimant:

Address for Property Adjacent to Copco Reservoir (Property):

Contact information:

Eligibility Criteria

An Eligible Claim must meet the criteria stated below.

The Property is located within 1,000 feet of the ordinary high-water mark of Copco Reservoir.

- If you received the letter from the Klamath Mitigation Fund, titled “Re: Klamath Mitigation Fund – Eligibility for Groundwater Wells around Copco Reservoir,” then the Klamath Mitigation Fund has determined that the Property meets this criterion.

Claimant is the owner, or authorized agent for the owner, of the Property.

- If you are the owner, please attach a copy of your deed, a recent property tax bill, or any other reasonable evidence of ownership. If there are multiple

owners, please attach Form O-1 confirming your authority from other owners to file this Claim.

- If you are not the owner, please attach Form O-1 confirming your authority from owner to file this claim.
- The Klamath Mitigation Fund will only pay the owner or authorized agent for potential loss in well production at Property. Only one such payment will be awarded from the Fund for loss of well production at this Property.

There a well on the Property.

- Please attach photo of the existing well.
- The well currently operated.

You installed and operated device to monitor the level of the well.

- Monitoring started by May 1, 2023 and continued until September 30, 2024, or nine months after reservoir drawdown begins (whichever is later).
- You attach proof of installation of the device, as well as all monitoring data, by October 31, 2024. At your discretion, you attach analysis of the data with respect to the impact of the reservoir drawdown on well production.
- You understand that, upon receipt of this data, the Fund Administrators will engage a registered engineer to review the data to determine whether well production declined during the monitoring period as a result of reservoir drawdown (as distinct from other causes). The engineer will submit a written conclusion, including recommendation, to a Fund Administrator, copied to you as Claimant. This will occur by November 15, 2024.

You attach the Well Completion Report for the well as filed under Water Code section 13751, or a well permit issued by Siskiyou County.

Representation by Counsel

You have the right to be represented by your own counsel or other personal agent with respect to this claim.

Confidentiality

The Claimant, any authorized agent of the Claimant, and Fund Administrators will not disclose communications related to this Claim, except in compliance with California Evidence Code 1152 in the event of litigation.

Signature by Claimant

Date: _____

_____ [name of Claimant]



Form W-4. Well Production Demonstrated Impact Claim (Copco Reservoir) - Settlement

Due to be signed and submitted by Claimant: December 15, 2024

Please sign this form and return to:

Joan Smith
Fund Administrator
Klamath Mitigation Fund
P.O. Box 1532
Yreka, CA 96097
klamathmitigationfund@gmail.com

Contact Information

Name of Claimant:

Property address for claim (Property:

Contact information:

Eligibility Criteria

You notified the Fund Administrators of your intent to submit the Well Production Claim (Copco Reservoir) – Demonstrated Impact, by May 31, 2023. You submitted the Claim itself by October 31, 2024.

- You conducted monitoring of well level on your Property from May 1, 2023 through September 30, 2024, or nine months after the start of reservoir drawdown (whichever is later).
- You submitted the monitoring data to the Fund Administrators by October 31, 2024.

The Fund Administrators have determined that:

- The Property is located within 1,000 feet of the ordinary high-water mark of Copco Reservoir.
- Claimant is owner, or authorized agent for owner, for the Property.
- There is an operating well on the property.
- A Well Completion Report was filed for the well under California Water Code section 13751.
- Based on the review of monitoring data by a registered engineer engaged by the Fund Administrators, a loss of well production at this Property is associated with the removal of the four dams of the Lower Klamath project. The Fund Administrators completed their review, and notified Claimant of the offer of an award, by November 15, 2024.

Representation by Counsel

You have the right to be represented by your own counsel or other personal agent with respect to this Claim.

Confidentiality

The Claimant, any authorized agent of the Claimant, and the Fund Administrators will not disclose communications related to this claim, except in compliance with California Evidence Code 1152 in the event of litigation.

Offer

If you sign the waiver and claim release below, the Fund Administrators will pay [amount] to address loss in well production at the Property associated with the removal of the four dams of the Lower Klamath Project.

Waiver and Claim Release

This offer is for solely for the purpose of resolving your Claim related to loss in well production at the Property associated with the removal of the four dams of the Lower Klamath Project.

By signing below and accepting payment of [amount], you as Claimant agree to release any claim for potential loss in well production at the Property identified above, associated with the removal of the four dams in the Lower Klamath Project.

This waiver and claim release covers:

- **Klamath Mitigation Fund**
- **Klamath River Renewal Corporation; its contractors, Kiewit Infrastructure West and Resource Environmental Solutions; and their subcontractors**
- **State of California**
- **State of Oregon**
- **PacifiCorp**
- **Their respective officers, agents, parents, and subsidiaries.**

This waiver does not limit the Claimant's right to express opinions about the Lower Klamath Project.

Signatures by Claimant and Fund Administrators

By Claimant:

I confirm that the information I provided about the Property is correct. I agree to accept the payment of [amount] for loss in well production at Property associated with the removal of the four dams in the Lower Klamath Project. I agree to the waiver and claim release stated above.

Date: _____

[name of Claimant]

By Fund Administrators:

Having determined that this Claim is consistent with the Klamath Mitigation Fund Program Document, we agree to pay [amount] for loss in well production at Property.

Date: _____

Joan Smith
Fund Administrator,
Klamath Mitigation Fund



Form W-5. Notice of Intention to Submit a Well Production Demonstrated Impact Claim (Iron Gate Reservoir)

Due to be submitted by Claimant: May 31, 2023

Please complete this form, sign, and return to:

Joan Smith
Fund Administrator
Klamath Mitigation Fund
P.O. Box 1532
Yreka, CA 96097
klamathmitigationfund@gmail.com

Contact Information

Name of Claimant:

Address for Property Adjacent to Copco Reservoir (Property):

Contact information:

Eligibility Criteria

An Eligible Claim must meet the criteria stated below.

The Property is located within 1,000 feet of the ordinary high-water mark of Iron Gate Reservoir.

- If you received the letter from the Klamath Mitigation Fund, titled “Re: Klamath Mitigation Fund – Eligibility for Groundwater Wells around Iron Gate Reservoir,” then the Klamath Mitigation Fund has determined that the Property meets this criterion.

Claimant is the owner, or authorized agent of the owner, of the Property.

- If you are the owner, please attach a copy of your deed, a recent property tax bill, or any other reasonable evidence of ownership. If there are multiple

owners, please attach Form O-1 confirming your authority from other owners to file this Claim.

- If you are not the owner, please attach Form O-1 confirming your authority from owner to file this claim.
- The Klamath Mitigation Fund will only pay the owner or authorized agent for potential loss in well production at Property. Only one such payment will be awarded from the Fund for loss of well production at this Property.

There is a well on the Property.

- Please attach photo of the existing well.
- The well is currently operated.

You installed and are operating a device to monitor the level of the well.

- Monitoring started by May 1, 2023. You intend to continue monitoring until September 30, 2024, or nine months after the start of reservoir drawdown (whichever is later).
- You intend to submit proof of installation of the device, as well as all monitoring data, by October 31, 2024.
- You understand that, upon receipt of this data, the Fund Administrators will engage a registered engineer to review the data to determine whether well production declined during the monitoring period as a result of reservoir drawdown (as distinct from other causes). The engineer will submit a written conclusion, including recommendation, to the Fund Administrators, copied to you as Claimant. This will occur by November 15, 2024.

You attach the Well Completion Report for the well as filed under Water Code section 13751.

Representation by Counsel

You have the right to be represented by your own counsel or other personal agent with respect to this claim.

Confidentiality

The Claimant, any authorized agent of the Claimant, and the Fund Administrators will not disclose communications related to this Claim, except in compliance with California Evidence Code 1152 in the event of litigation.

Signature by Claimant

Date: _____

_____ [name of Claimant]



Form W-6. Well Production Demonstrated Impact Claim (Iron Gate Reservoir)

Due to be submitted by Claimant: October 31, 2024

Please complete this form, sign, and return to:

Joan Smith
Fund Administrator
Klamath Mitigation Fund
P.O. Box 1532
Yreka, CA 96097
klamathmitigationfund@gmail.com

Contact Information

Name of Claimant:

Address for Property Adjacent to Copco Reservoir (Property):

Contact information:

Eligibility Criteria

An Eligible Claim must meet the criteria stated below.

The Property is located within 1,000 feet of the ordinary high-water mark of Iron Gate Reservoir.

- If you received the letter from the Klamath Mitigation Fund, titled “Re: Klamath Mitigation Fund – Eligibility for Groundwater Wells around Iron Gate Reservoir,” then the Klamath Mitigation Fund has determined that the Property meets this criterion.

Claimant is the owner, or authorized agent of the owner, of the Property.

- If you are the owner, please attach a copy of your deed, a recent property tax bill, or any other reasonable evidence of ownership. If there are multiple

owners, please attach Form O-1 confirming your authority from other owners to file this Claim.

- If you are not the owner, please attach Form O-1 confirming your authority from owner to file this claim.
- The Klamath Mitigation Fund will only pay the owner or authorized agent for potential loss in well production at Property. Only one such payment will be awarded from the Fund for loss of well production at this Property.

There is a well on the Property.

- Please attach photo of the existing well.
- The well is currently operated.

You installed and operated a device to monitor the level of the well.

- Monitoring started by May 1, 2023 and continued until September 30, 2024, or nine months after the start of reservoir drawdown (whichever is later).
- You attach proof of installation of the device, as well as all monitoring data. At your discretion, you attach analysis of the data with respect to the impact of the reservoir drawdown on well production.
- You understand that, upon receipt of this data, the Fund Administrators will engage a registered engineer to review the data to determine whether well production declined during the monitoring period as a result of reservoir drawdown (as distinct from other causes). The engineer will submit a written conclusion, including recommendation, to the Fund Administrators, copied to you as Claimant. This will occur by November 15, 2024.

You attach the Well Completion Report for the well as filed under Water Code section 13751.

Representation by Counsel

You have the right to be represented by your own counsel or other personal agent with respect to this claim.

Confidentiality

The Claimant, any authorized agent of the Claimant, and the Fund Administrators will not disclose communications related to this Claim, except in compliance with California Evidence Code 1152 in the event of litigation.

Signature by Claimant

Date: _____

_____ [name of Claimant]



Form W-7. Well Production Demonstrated Impact Claim (Iron Gate Reservoir) - Settlement

Due to be signed and submitted by Claimant: December 15, 2024

Please sign this form and return to:

Joan Smith
Fund Administrator
Klamath Mitigation Fund
P.O. Box 1532
Yreka, CA 96097
klamathmitigationfund@gmail.com

Contact Information

Name of Claimant:

Property address for claim (Property):

Contact information:

Eligibility Criteria

You as Claimant submitted the Well Production Claim (Copco Reservoir) – Demonstrated Impact, by May 31, 2023.

- You conducted monitoring of well level on your Property from May 1, 2023 through September 30, 2024, or nine months after the start of reservoir drawdown (whichever is later).
- You submitted the monitoring data to the Fund Administrators by October 31, 2024.

The Fund Administrators have determined that:

- The Property is located within 1,000 feet of the ordinary high-water mark of Copco Reservoir.

- Claimant is owner, or authorized agent for owner, for the Property.
- There is an operating well on the property.
- A Well Completion Report was filed for the well under California Water Code 13751.
- Based on the review of monitoring data by a registered engineer engaged by the Fund Administrators, a loss of well production at this Property is associated with the removal of the four dams of the Lower Klamath project. The Fund Administrators completed their review, and notified Claimant of the offer of an award, by November 15, 2024.

Representation by Counsel

You have the right to be represented by your own counsel or other personal agent with respect to this claim.

Confidentiality

The Claimant, any authorized agent of the Claimant, and the Fund Administrators will not disclose communications related to this Claim, except in compliance with California Evidence Code 1152 in the event of litigation.

Offer

If you sign the waiver and claim release below, the Fund Administrators will pay [amount] to address loss in well production at the Property associated with the removal of the four dams of the Lower Klamath Project.

Waiver and Claim Release

This offer is for solely for the purpose of resolving your Claim related to loss in well production at the Property associated with the removal of the four dams of the Lower Klamath Project.

By signing below and accepting payment of [amount], you as Claimant agree to release any claim for potential loss in well production at the Property identified above, associated with the removal of the four dams in the Lower Klamath Project.

This waiver and claim release covers:

- **Klamath Mitigation Fund**
- **Klamath River Renewal Corporation; its contractors, Kiewit Infrastructure West and Resource Environmental Solutions; and their subcontractors**
- **State of California**
- **State of Oregon**
- **PacifiCorp**
- **Their respective officers, agents, parents, and subsidiaries.**

This waiver does not limit the Claimant’s right to express opinions about the Lower Klamath Project.

Signatures by Claimant and Fund Administrators

By Claimant:

I confirm that the information I provided about the Property is correct. I agree to accept the payment of [amount] for loss in well production at the Property associated with the removal of the four dams of the Lower Klamath Project. I agree to the waiver and claim release stated above.

Date: _____

 [name of Claimant]

By Fund Administrators:

Having determined that this Claim is consistent with the Klamath Mitigation Fund Program Document, we agree to pay [amount] for loss in well production at Property.

Date: _____

 Joan Smith
 Fund Administrator,
 Klamath Mitigation Fund



Form R-1. Temporary Relocation Claim - Settlement

Due to be signed and submitted by Claimant: October 31, 2023

Please sign this form and return to:

Joan Smith
Fund Administrator
Klamath Mitigation Fund
P.O. Box 1532
Yreka, CA 96097
klamathmitigationfund@gmail.com

Contact Information

Name of Claimant:

Property address for claim (Property):

Contact information:

Eligibility Criteria

An Eligible Claim must meet the criteria stated below.

Claimant received a letter from the Fund Administrators identifying the Property as higher risk for rim instability associated with the drawdown of Copco Reservoir.

Claimant is the owner, or authorized agent of the owner, of the Property.

- If you are the owner, please attach a copy of your deed, a recent property tax bill, or any other reasonable evidence of ownership. If there are multiple owners, please attach Form O-1 confirming your authority from other owners to file this Claim.
- If you are not the owner, please attach Form O-1 confirming your authority from the owner to file this claim.

- The Klamath Mitigation Fund will only pay the owner or authorized agent for temporary relocation from the Property. Only one such payment will be awarded from the Fund for temporary relocation from this Property.

There is a habitable structure on the Property.

- The habitable structure is currently occupied.
- How many residents live in the habitable structure? [number]

Representation by Counsel

You have the right to be represented by your own counsel or other personal agent with respect to this claim.

Confidentiality

The Claimant, any authorized agent of the Claimant, and the Fund Administrators will not disclose communications related to this claim, except in compliance with California Evidence Code 1152 in the event of litigation.

Offer

If you sign the waiver and claim release below, the Fund Administrators will pay based on the U.S. General Services Administration (GSA) lodging rate for Siskiyou County of \$98/day for the 180 expected days of reservoir drawdown, for a total of \$17,640, to address the cost of temporary relocation from the Property, in anticipation of potential rim instability associated with the drawdown of Copco Reservoir. This amount is subject to adjustment based on the number of residents eligible for relocation.

Waiver and Claim Release

This offer is for solely for the purpose of resolving your Claim related to temporary relocation from the Property, in anticipation of potential rim instability associated with the drawdown of Copco Reservoir.

By signing below and accepting payment of \$17,640, you as Claimant agree to release any claim for the cost of temporary relocation from the Property, in anticipation of potential rim instability associated with the drawdown of Copco Reservoir.

This waiver and claim release covers:

- **Klamath Mitigation Fund**
- **Klamath River Renewal Corporation; its contractors, Kiewit Infrastructure West and Resource Environmental Solutions; and their subcontractors**
- **State of California**
- **State of Oregon**
- **PacifiCorp**
- **Their respective officers, agents, parents, and subsidiaries.**

This waiver does not limit the Claimant’s right to express opinions about the Lower Klamath Project.

Signatures by Claimant and Fund Administrators

By Claimant:

I confirm that the information I provided about the Property is correct. I agree to accept the payment of \$17,640 for cost of temporary relocation from the Property in anticipation of potential rim instability associated with the drawdown of Copco Reservoir. I agree to the waiver and claim release stated above.

Date: _____

_____ [name of Claimant]

By Fund Administrators:

Having determined that this Claim is consistent with the Klamath Mitigation Fund Program Document, we agree to pay \$17,640 for temporary relocation from the Property in anticipation of potential rim instability associated with the drawdown of Copco Reservoir.

Date: _____

Joan Smith
Fund Administrator,
Klamath Mitigation Fund



Form R-2. Rim Instability Demonstrated Impact Claim

Due to be submitted by Claimant: December 31, 2024

Please complete this form, sign, and submit to:

Joan Smith
Fund Administrator
Klamath Mitigation Fund
P.O. Box 1532
Yreka, CA 96097
klamathmitigationfund@gmail.com

Contact Information

Name of Claimant:

Address for Property Adjacent to Copco Reservoir (Property):

Contact information:

Eligibility Criteria

An Eligible Claim must meet the criteria stated below.

The Property is located adjacent to the rim of Copco Reservoir.

Claimant is the owner, or authorized agent of the owner, of the Property.

- If you are the owner, please attach a copy of your deed, a recent property tax bill, or any other reasonable evidence of ownership. If there are multiple owners, please attach Form O-1 confirming your authority from other owners to file this Claim.
- If you are not the owner, please attach Form O-1 confirming your authority from owner to file this claim.

- The Klamath Mitigation Fund will only pay the owner or authorized agent for demonstrated impact to the Property associated with rim instability caused by drawdown of Copco Reservoir. Only one such payment will be awarded from the Fund for rim instability at this Property.

The Property slumped in the vicinity of the rim of Copco Reservoir, after January 1, 2024.

- Please attach photos of the slumping. Include dates and approximate locations.
- Please attach any other reasonable evidence that shows the extent of the slumping, as well as the impacts on any habitable structure on the Property.

Representation by Counsel

You have the right to be represented by your own counsel or other personal agent with respect to this claim.

Confidentiality

The Claimant, any authorized agent of the Claimant, and the Fund Administrators will not disclose communications related to this claim, except in compliance with California Evidence Code 1152 in the event of litigation.

Signature by Claimant

Date: _____

[name of Claimant]



Form R-3. Rim Instability Demonstrated Impact Claim - Settlement

Due to be signed and submitted by Claimant: February 28, 2025

Please complete and sign this form and submit to:

Joan Smith
Fund Administrator
Klamath Mitigation Fund
P.O. Box 1532
Yreka, CA 96097
klamathmitigationfund@gmail.com

Contact Information

Name of Claimant:

Property address for claim (Property):

Contact information:

Eligibility and Award Criteria

You as Claimant submitted the Rim Instability Demonstrated Impact Claim by December 31, 2024.

You have responded to any information requests from the Fund Administrator.

The Fund Administrators have determined that:

- Claimant is owner, or authorized agent for owner, for the Property.
- There is an operating well on the property.
- Drawdown of Copco Reservoir caused slumping of your Property, taking into account (1) monitoring data regarding rim instability collected by the Renewal Corporation and (2) information that you as Claimant have submitted.

- The Fund Administrators completed their review, and notified Claimant of a proposed payment, by January 31, 2025.

Representation by Counsel

You have the right to be represented by your own counsel or other personal agent with respect to this claim.

Confidentiality

The Claimant, any authorized agent of the Claimant, and the Fund Administrators will not disclose communications related to this claim, except in compliance with California Evidence Code 1152 in the event of litigation.

Proposed Payment

If you sign the waiver and claim release below, the Fund Administrators will pay [amount] to address impacts to the Property due to slumping associated with drawdown of Copco Reservoir.

Waiver and Claim Release

This offer is for solely for the purpose of resolving your Claim related to demonstrated impacts to the Property due to slumping associated with drawdown of Copco Reservoir.

By signing below and accepting payment of [amount], you as Claimant agree to release any claim for impacts to the Property due to slumping associated with the drawdown of Copco Reservoir.

This waiver and claim release covers:

- **Klamath Mitigation Fund**
- **Klamath River Renewal Corporation; its contractors, Kiewit Infrastructure West and Resource Environmental Solutions; and their subcontractors**
- **State of California**
- **State of Oregon**
- **PacifiCorp**
- **Their respective officers, agents, parents, and subsidiaries.**

This waiver does not limit the Claimant's right to express opinions about the Lower Klamath Project.

Signatures by Claimant and Fund Administrators

By Claimant:

I confirm that the information I provided about the Property is correct. I agree to accept the payment of [amount] to address impacts to the Property due to slumping associated with drawdown of Copco Reservoir. I agree to the waiver and claim release stated above.

Date: _____
_____ [name of Claimant]

By Fund Administrators:

Having determined that this claim is consistent with the Klamath Mitigation Fund Program Document, we agree to pay [amount] to address impacts to the Property due to slumping associated with drawdown of Copco Reservoir.

Date: _____
_____ Joan Smith
Fund Administrator,
Klamath Mitigation Fund



Form F-1. Flood Risk Claim (Existing Structure, Expanded Floodplain)

Due to be submitted by Claimant: May 31, 2023

Please complete this form, sign, and submit to:

Joan Smith
Fund Administrator
Klamath Mitigation Fund
P.O. Box 1532
Yreka, CA 96097
klamathmitigationfund@gmail.com

Contact Information

Name of Claimant:

Address of Property Adjacent to Klamath River:

Contact information:

Eligibility Criteria

An Eligible Claim must meet the criteria stated below.

The Property is located adjacent to the Klamath River.

- The Property is located within the expanded 100-year floodplain, expected to result from the removal of the four dams of the Lower Klamath Project, shown in **Attachment 2** to the Fund Document, and you received a letter from the Klamath Mitigation Fund, titled Re: Klamath Mitigation Fund – Eligibility Criteria for Potential Flood Impacts,” then the Klamath Mitigation Fund has determined that the Property meets this criterion.

Claimant is the owner, or authorized agent of the owner, of the Property.

- If you are the owner, please attach a copy of your deed, a recent property tax bill, or any other reasonable evidence of ownership. If there are

multiple owners, please attach Form O-1 confirming your authority from other owners to file this Claim

- If you are not the owner, please attach Form O-1 confirming your authority from owner to file this claim.
- The Klamath Mitigation Fund will only pay the owner or authorized agent for the impact of flood risk on the Property. Only one such payment will be awarded from the Fund for such flood risk at this Property.

The Property includes a habitable structure, a structure that generates revenue (such as a restaurant), or infrastructure (such as power box) that supports such a structure.

- Please Include a photograph or other reasonable evidence of the structure or infrastructure, as applicable.

Claimant obtained a bid from a licensed contractor for a flood improvement to protect eligible structure(s).

- You obtained one bid for any improvement expected to cost less than \$25,000.
- You obtained bids from two licensed contractors for any flood improvement expected to cost more than \$25,000. Such flood improvement must address the additional flood risk associated with removal of the four dams of the Lower Klamath Project. The Fund will not pay for an improvement to address existing flood risk.
- Please attach any applicable bid to this claim.
- You understand that, if this Claim does not comply with this requirement, the Fund Administrators will reject it, unless they elect to obtain a bid estimate for such flood improvement using registered engineers employed by the Renewal Corporation or its contractors.

Representation by Counsel

You have the right to be represented by your own counsel or other personal agent with respect to this claim.

Confidentiality

The Claimant, any authorized agent of the Claimant, and the Fund Administrators will not disclose communications related to this Claim, except in compliance with California Evidence Code 1152 in the event of litigation.

Signature by Claimant

Date: _____

_____ [name of Claimant]



Form F-2. Flood Risk Claim (Existing Structure, Expanded Floodplain) - Settlement

Due to be signed and submitted by Claimant: June 30, 2023

Please complete and sign this form and submit to:

Joan Smith
Fund Administrator
Klamath Mitigation Fund
P.O. Box 1532
Yreka, CA 96097
klamathmitigationfund@gmail.com

Contact Information

Name of Claimant:

Property address for claim (Property):

Contact information:

Eligibility and Award Criteria

Claimant submitted the Flood Risk Claim (Existing Structure, Expanded Floodplain) by May 31, 2023.

The Fund Administrators have all information that they requested from Claimant or otherwise need for a payment decision.

The Fund Administrators have determined that:

- Claimant is owner, or authorized agent for owner, for the Property.
- The Claimant has submitted a qualified bid for a flood improvement to protect eligible structure(s). Such flood improvement addresses the additional flood risk to the Property associated with removal of the four dams of the Lower Klamath Project. In the absence of such a bid, the Fund Administrators may elect, at their

discretion, to obtain a bid estimate for such flood improvement using registered engineers employed by the Renewal Corporation or its contractors.

- The least-cost bid [or bid estimate] for the flood improvement is [amount].

Representation by Counsel

You have the right to be represented by your own counsel or other personal agent with respect to this claim.

Confidentiality

The Claimant, any authorized agent of the Claimant, and the Fund Administrators will not disclose communications related to this Claim, except in compliance with California Evidence Code 1152 in the event of litigation.

Proposed Payment

If you sign the waiver and claim release below, the Fund Administrators will pay [amount] to address flood risk to the Property resulting from expansion of the 100-year floodplain due to removal of the four dams of the Lower Klamath Project.

Waiver and Claim Release

This offer is for solely for the purpose of resolving your Claim related to additional flood risk to the Property associated with the removal of the four dams of the Lower Klamath Project.

By signing below and accepting payment of [amount], you as Claimant agree to release any claim related to additional flood risk to the Property associated with removal of the four dams of the Lower Klamath Project.

This waiver and claim release covers:

- **Klamath Mitigation Fund**
- **Klamath River Renewal Corporation; its contractors, Kiewit Infrastructure West and Resource Environmental Solutions; and their subcontractors**
- **State of California**
- **State of Oregon**
- **PacifiCorp**
- **Their respective officers, agents, parents, and subsidiaries.**

This waiver does not limit the Claimant’s right to express opinions about the Lower Klamath Project.

Signatures by Claimant and Fund Administrators

By Claimant:

I confirm that the information I provided about the Property is correct. I agree to accept the payment of [amount] to address additional flood risk to the Property associated with removal of the four dams of the Lower Klamath Project. I agree to the waiver and claim release stated above.

Date: _____
_____ [name of Claimant]

By Fund Administrators:

Having determined that this claim is consistent with the Klamath Mitigation Fund Program Document, we agree to pay [amount] to address additional flood risk to the Property associated with removal of the four dams of the Lower Klamath Project.

Date: _____
_____ Joan Smith
Fund Administrator,
Klamath Mitigation Fund



Form F-3. Flood Risk Claim (Existing Structure, Existing Floodplain)

Due to be submitted by Claimant: May 31, 2023

Please complete this form, sign, and submit to:

Joan Smith
Fund Administrator
Klamath Mitigation Fund
P.O. Box 1532
Yreka, CA 96097
klamathmitigationfund@gmail.com

Contact Information

Name of Claimant:

Address of Property Adjacent to Klamath River:

Contact information:

Eligibility Criteria

An Eligible Claim must meet the criteria stated below.

The Property is located adjacent to the Klamath River.

- The Property is located within the existing 100-year floodplain, shown in **Attachment 2** to the Fund Document, and you received a letter from the Klamath Mitigation Fund, titled Re: Klamath Mitigation Fund – Eligibility Criteria for Potential Flood Impacts,” then the Klamath Mitigation Fund has determined that the Property meets this criterion.

Claimant is the owner, or the authorized agent of the owner, of the Property.

- If you are the owner, please attach a copy of your deed, a recent property tax bill, or any other reasonable evidence of ownership. If there are multiple owners, please attach Form O-1 confirming your authority from other owners to file this Claim

- If you are not the owner, please attach Form O-1 confirming your authority from owner to file this claim.
- The Klamath Mitigation Fund will only pay the owner or authorized agent for the additional flood risk to the Property associated with removal of the four dams of the Lower Klamath Project. Only one such payment will be awarded from the Fund for such flood risk at this Property.

The property includes a habitable structure, a structure that generates revenue (such as a restaurant), or infrastructure (such as power box) that supports such a structure.

- Include a photograph or other reasonable evidence of the structure or infrastructure, as applicable.

Claimant has obtained a bid from a licensed contractor for an improvement (such as a berm) to protect eligible structure(s) against additional flood risk arising from the removal of the four dams of the Lower Klamath Project. The Fund will not pay for an improvement to address existing flood risk.

- Please attach the applicable bid to this claim.

Representation by Counsel

You have the right to be represented by your own counsel or other personal agent with respect to this claim.

Confidentiality

The Claimant, any authorized agent of the Claimant, and the Fund Administrators will not disclose communications related to this claim, except in compliance with California Evidence Code 1152 in the event of litigation.

\

Signature by Claimant

Date: _____

_____ [name of Claimant]



Form F-4. Flood Risk Claim (Existing Structure, Existing Floodplain) - Settlement

Due to be signed and submitted by Claimant: June 30, 2023

Please complete and sign this form and submit to:

Joan Smith
Fund Administrator
Klamath Mitigation Fund
P.O. Box 1532
Yreka, CA 96097
klamathmitigationfund@gmail.com

Contact Information

Name of Claimant:

Property address for claim (Property):

Contact information:

Eligibility and Award Criteria

Claimant submitted the Flood Risk Claim (Existing Structure, Existing Floodplain) by May 31, 2023.

The Fund Administrators have all information that they requested from Claimant or otherwise need for a payment decision in compliance with the Fund Document.

The Fund Administrators have determined that:

- Claimant is owner, or authorized agent for owner, for the Property.
- The Claimant has submitted a qualified bid for a flood improvement to protect an eligible existing structure. Such flood improvement addresses the additional flood risk associated with the removal of the four dams of the Lower Klamath Project. For this purpose, “additional flood risk” means that a floor (or level) in the structure not currently subject to flooding in the 100-year flood will be subject to

flooding to some extent. In the absence of such a bid, the Fund Administrators may elect, at their discretion, to obtain a bid estimate for such flood improvement using registered engineers employed by the Renewal Corporation or its contractors.

- The bid [or bid estimate] for the flood improvement is [amount]. The Fund Administrators will pay 50% of this amount.

Representation by Counsel

You have the right to be represented by your own counsel or other personal agent with respect to this claim.

Confidentiality

The Claimant, any authorized agent of the Claimant, and the Fund Administrators will not disclose communications related to this claim, except in compliance with California Evidence Code 1152 in the event of litigation.

Proposed Payment

If you agree to the waiver and claim release below, the Fund Administrators will pay [amount] to address additional flood risk to the Property, and specifically, eligible structure(s), resulting from removal of the four dams of the Lower Klamath Project.

Waiver and Claim Release

This offer is for solely for the purpose of resolving your Claim related to additional flood risk to the Property, associated with the removal of the four dams of the Lower Klamath Project.

By signing below and accepting payment of [amount], you as Claimant agree to release any claim related to additional flood risk to the Property associated with removal of the four dams of the Lower Klamath Project.

This waiver and claim release covers:

- **Klamath Mitigation Fund**
- **Klamath River Renewal Corporation; its contractors, Kiewit Infrastructure West and Resource Environmental Solutions; and their subcontractors**
- **State of California**
- **State of Oregon**

- **PacifiCorp**
- **Their respective officers, agents, parents, and subsidiaries.**

This waiver does not limit the Claimant’s right to express opinions about the Lower Klamath Project.

Signatures by Claimant and Fund Administrators

By Claimant:

I confirm that the information I provided about the Property is correct. I agree to accept the payment of [amount] to address additional flood risk to the Property associated with removal of the four dams of the Lower Klamath Project. I agree to the waiver and claim release stated above.

Date: _____
_____ [name of Claimant]

By Fund Administrators:

Having determined that this Claim is consistent with the Klamath Mitigation Fund Document, we agree to pay [amount] to address additional flood risk to the Property associated with removal of the four dams of the Lower Klamath Project.

Date: _____
_____ Joan Smith
Fund Administrator,
Klamath Mitigation Fund



Form O-1. Authorization to File Claim.

Please complete and sign this form and submit to:

Joan Smith
Fund Administrator
Klamath Mitigation Fund
P.O. Box 1532
Yreka, CA 96097
klamathmitigationfund@gmail.com

Contact Information

Name of Claimant:

Property address for Claim (Property):

Contact information:

Ownership

Are you (Claimant) owner of the Property?

Are there other owners of the Property? If yes, do they each authorize you to file this Claim by signing this form?

Lease

Are you a lessee at the Property?

Does the owner(s) of the Property authorize you to file this Claim by signing this form?

Agency

Are you an agent for the owner(s) of the Property?

Does the owner(s) of the Property authorize you to file this Claim by signing this form?

Signatures

By Claimant:

Date: _____
_____ [name of Claimant]

By Owner(s) of Property (if not Claimant):

Date: _____
_____ [name of Owner not Claimant]

[Add additional signature blocks as needed.]