



1 2. Attached to this declaration as Exhibit 1 is a true and accurate copy of the proposed  
2 Answer of Intervenor-Defendant Siletz River Ecosystem, the responsive pleading that  
3 will be filed if the motion to intervene is granted.

4 *I hereby declare that the above statement is true to the best of my knowledge and belief,*  
5 *and that I understand it is made for use as evidence in court and is subject to penalty for perjury.*

6 DATED this 21<sup>st</sup> day of July, 2017.

7  
8 s/ Ann B. Kneeland

Ann B. Kneeland, OSB #992977

Community Environmental Legal Defense Fund

P.O. Box 10294

Eugene, OR 97440

Tel: (541) 514-9720

Email: ann@kneelandlaw.net

12 Attorney for Intervenor-Applicant Siletz  
13 River Ecosystem

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5 IN THE CIRCUIT COURT OF THE STATE OF OREGON  
6 FOR THE COUNTY OF LINCOLN

7 REX CAPRI, WAKEFIELD FARMS, LLC, )

8 Plaintiffs, )

9 v. )

10 DANA W. JENKINS, LINCOLN COUNTY, )

11 Defendants, )

12 and )

13 LINCOLN COUNTY COMMUNITY RIGHTS )  
14 and SILETZ RIVER ECOSYSTEM, )

15 Intervenor-Defendants. )  
16

Case No. 17CV23360

**ANSWER OF  
INTERVENOR-DEFENDANT  
SILETZ RIVER ECOSYSTEM**

17  
18 1.

19 In answer to Petitioners' Amended Complaint herein, Intervenor-Defendant Siletz River  
20 Ecosystem admits, denies and alleges:

21 2.

22 Admits paragraphs 4, 5, 6 (regarding allegation that Dana Jenkins certified the election  
23 approving Measure 21-177 on June 5, 2017), 7, and 11.

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3.

Lacks knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 1, 2, 3, 9, 12, 13 and 15, and therefore denies.

4.

Denies paragraph 6 (regarding allegation that Exhibit 1 is a true and exact copy of the June 5, 2017 certification), 8, 10, 14, 16 and 17 as follows, and each and every other allegation not expressly admitted.

WHEREFORE, Intervenor-Defendant Siletz River Ecosystem prays for judgment as follows:

1. Dismissing Plaintiffs' claims with prejudice;
2. Awarding the Siletz River Ecosystem its costs and disbursements incurred herein;

and

3. Awarding any other such other relief the Court considers just and equitable.

DATED this 21<sup>st</sup> day of July, 2017.

s/ Ann B. Kneeland

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Community Environmental Legal Defense Fund  
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Attorney for Intervenor-Defendant Siletz  
River Ecosystem

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**CERTIFICATE OF SERVICE**

I certify that on July 21, 2017, I served the foregoing DECLARATION OF ANN B.

KNEELAND IN SUPPORT OF MOTION TO INTERVENE BY SILETZ RIVER

ECOSYSTEM upon:

Gregory A. Chaimov  
Davis Wright Tremaine LLP  
1300 S. W. Fifth Avenue, Suite 2400  
Portland, Oregon 97201-5610,

and

Wayne Belmont  
Lincoln County Counsel  
110 Lincoln County Courthouse  
225 W Olive St  
Newport, OR 97365

by E-serve.

DATED this 21<sup>st</sup> day of June, 2017.

s/ Ann B. Kneeland

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River Ecosystem