

# Klamath Adjudication Update



**Oregon Water Resources  
Commission Meeting**

**Baker City, Oregon**

**August 9, 2013**



**Dwight French**  
Water Right Services Division

**Doug Woodcock**  
Field Services Division

# KBA - Update

- *Klamath Adjudication begins in December of 1975.*
- *Investigation of water uses, 730 claims filed, open inspection, 5664 contests filed.*
- *Findings of Fact and Order of Determination (FFOD) filed with Klamath County Circuit Court on March 7, 2013.*
- *The filing allows OWRD to distribute water, as needed, in the entire basin according to the water rights of record including those as described in the FFOD.*





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# Four Stays Filed

- *On July 15, 2013, Circuit Court Judge Cameron Wogan, who is the judge in charge of the KBA, issued a ruling on the four stay petitions:*
  - *Two of the stays were denied.*
  - *A third stay was not ruled on by the judge. Additional briefs will be filed and a decision will be made later as to the size of the bond required.*
  - *The fourth stay was not ruled on by the judge. Additional briefs will be filed and a decision will be made later.*
- *Summary: No stays have been granted at this time.*

# Future of KBA

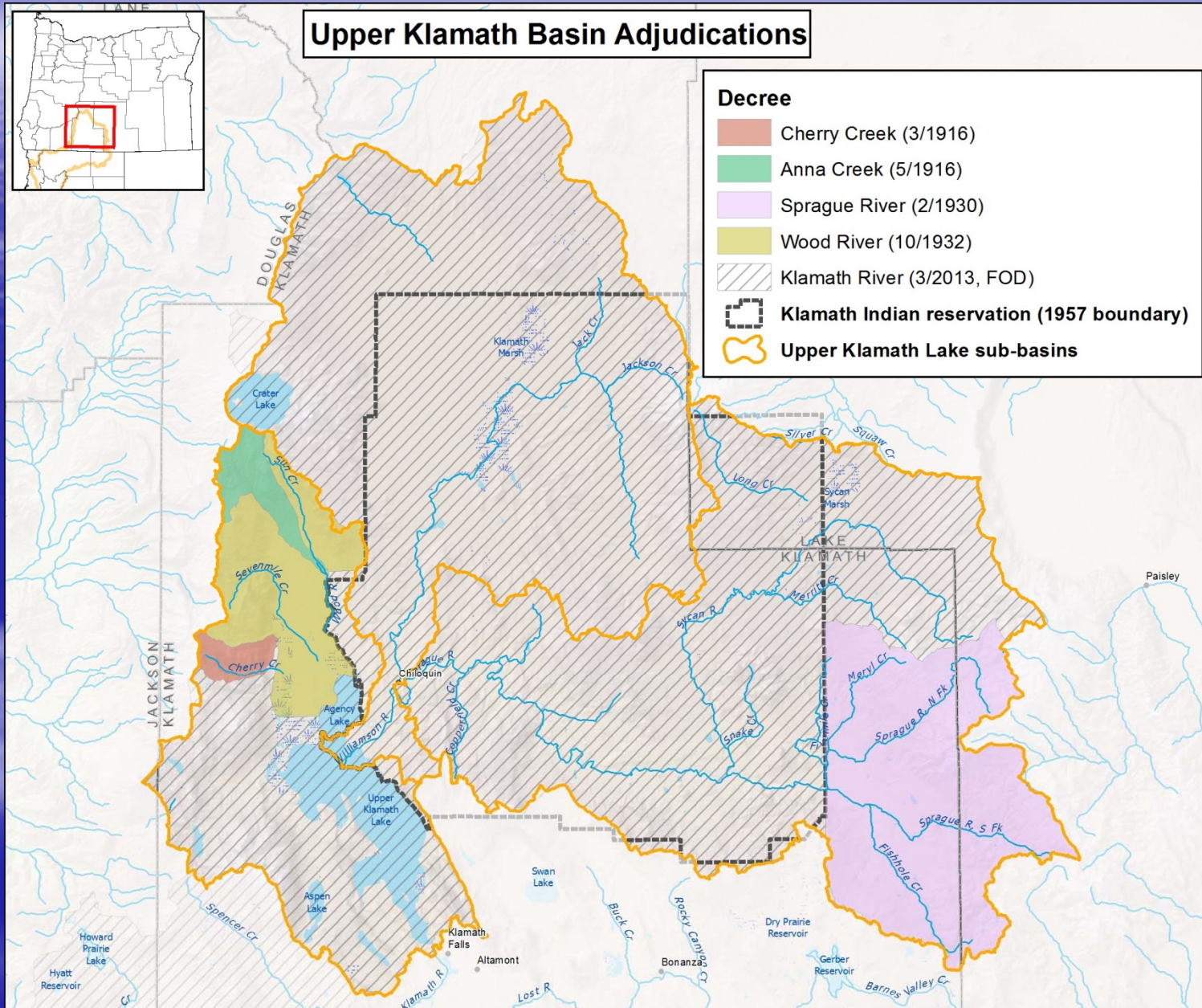
- *Exceptions to be filed by March 3, 2014.*
- *Court will deliberate and rule on exceptions.*
- *Court will issue decree.*
- *OWRD will issue water right certificates consistent with the decree.*

# Regulation

- *June 10, 2013, Klamath Tribes, Irrigation Districts, Reclamation and other entities make a “call” on water*
- *Priorities:*
  - *Tribal Instream rights are time immemorial*
  - *Project inflow water is 1905 in priority*
- *Regulation began June 12, 2013*
  - *Williamson – Sprague River system*
- *Drought conditions require deep regulation*
  - *Uses regulated through 1864*
  - *Water for human consumption and stockwater allowed*

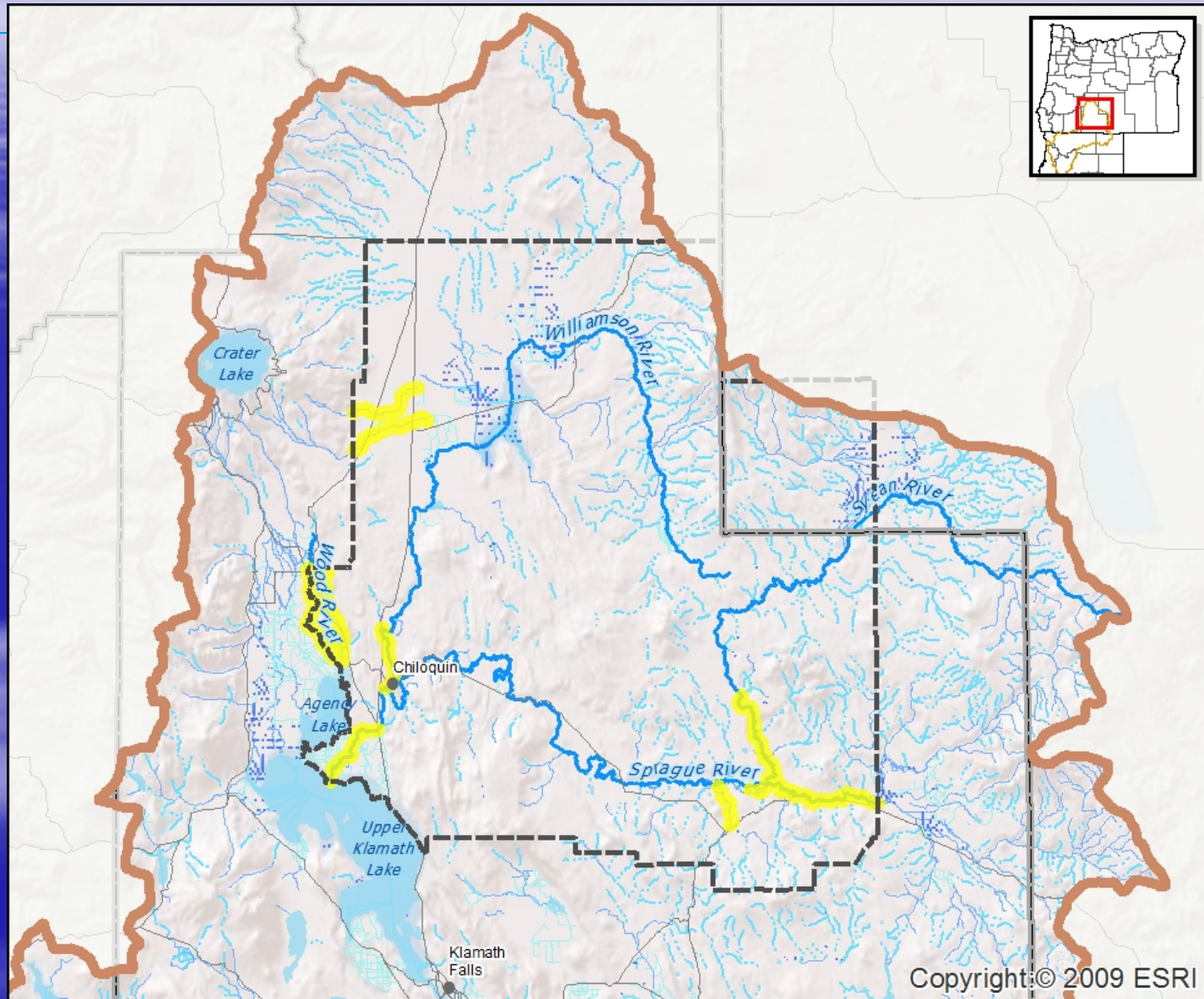


# Regulation

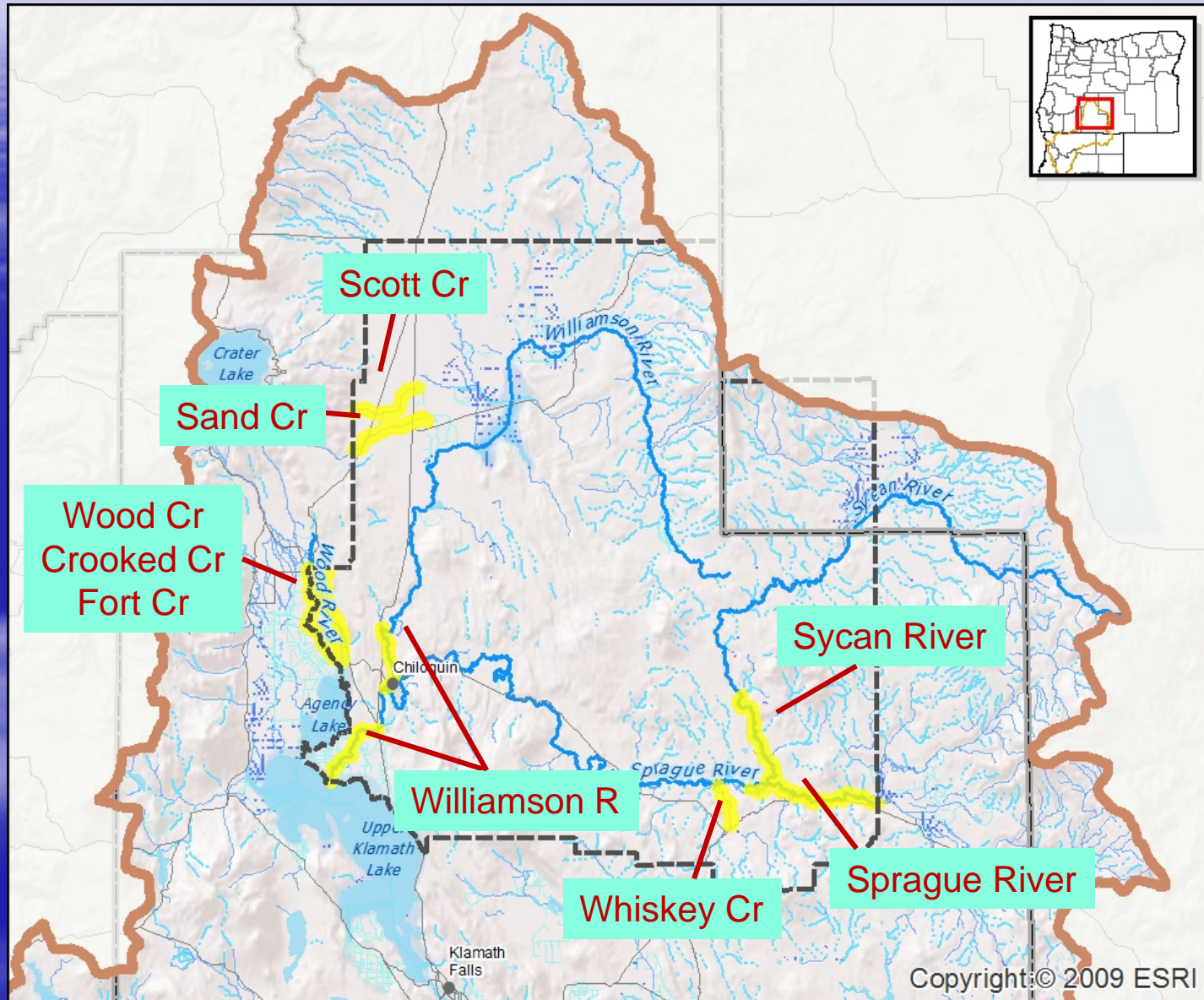




# Regulation

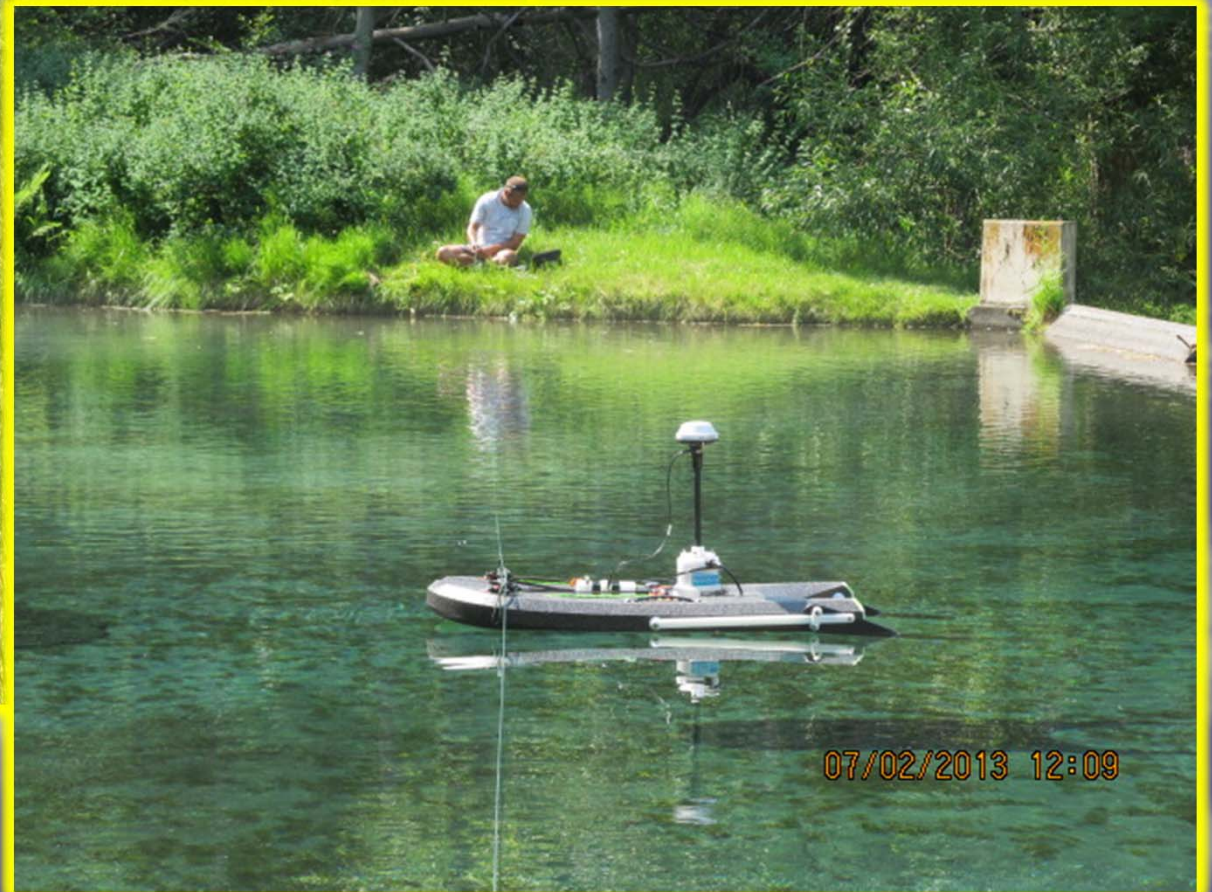
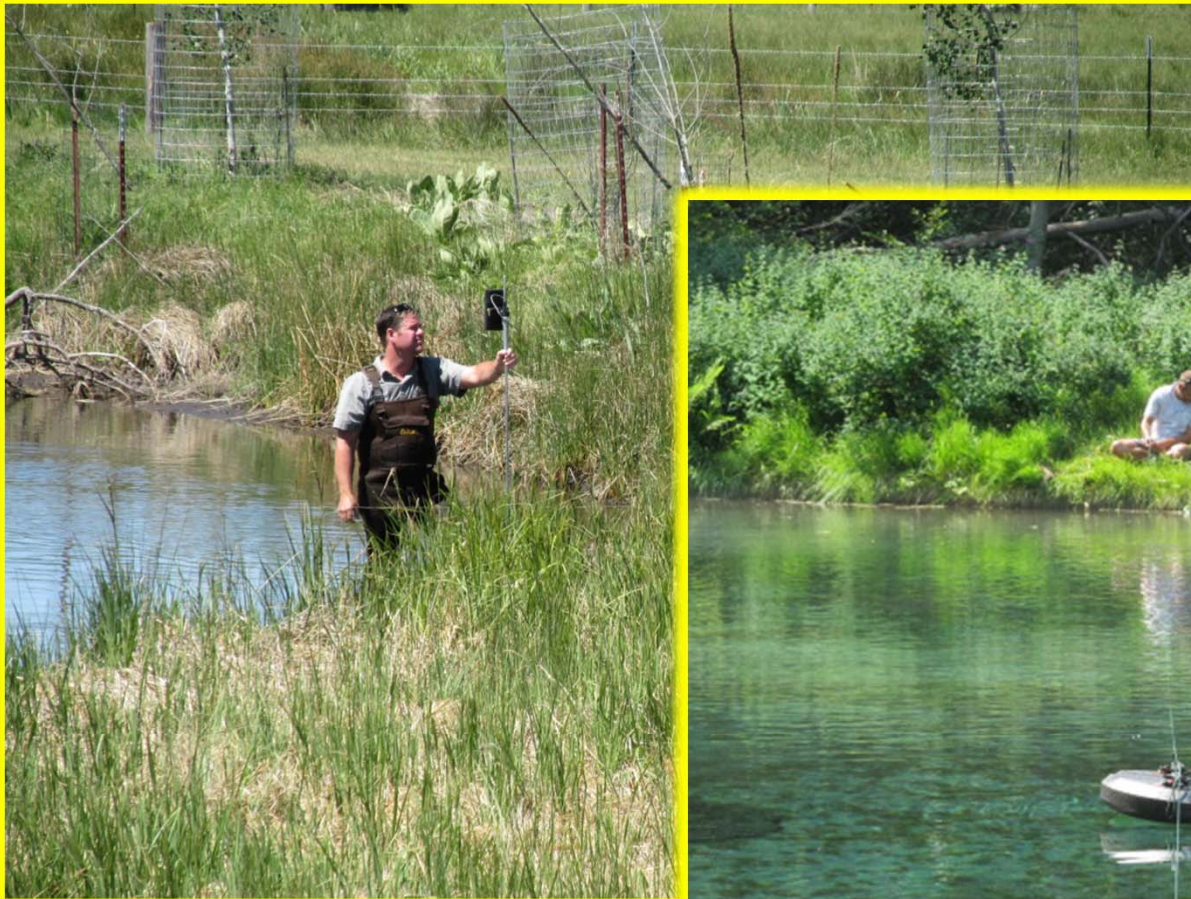


# Regulation





# Regulation



***Validate the call***



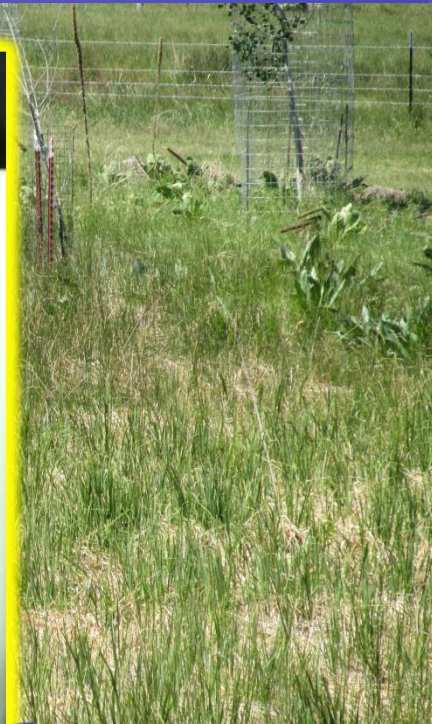
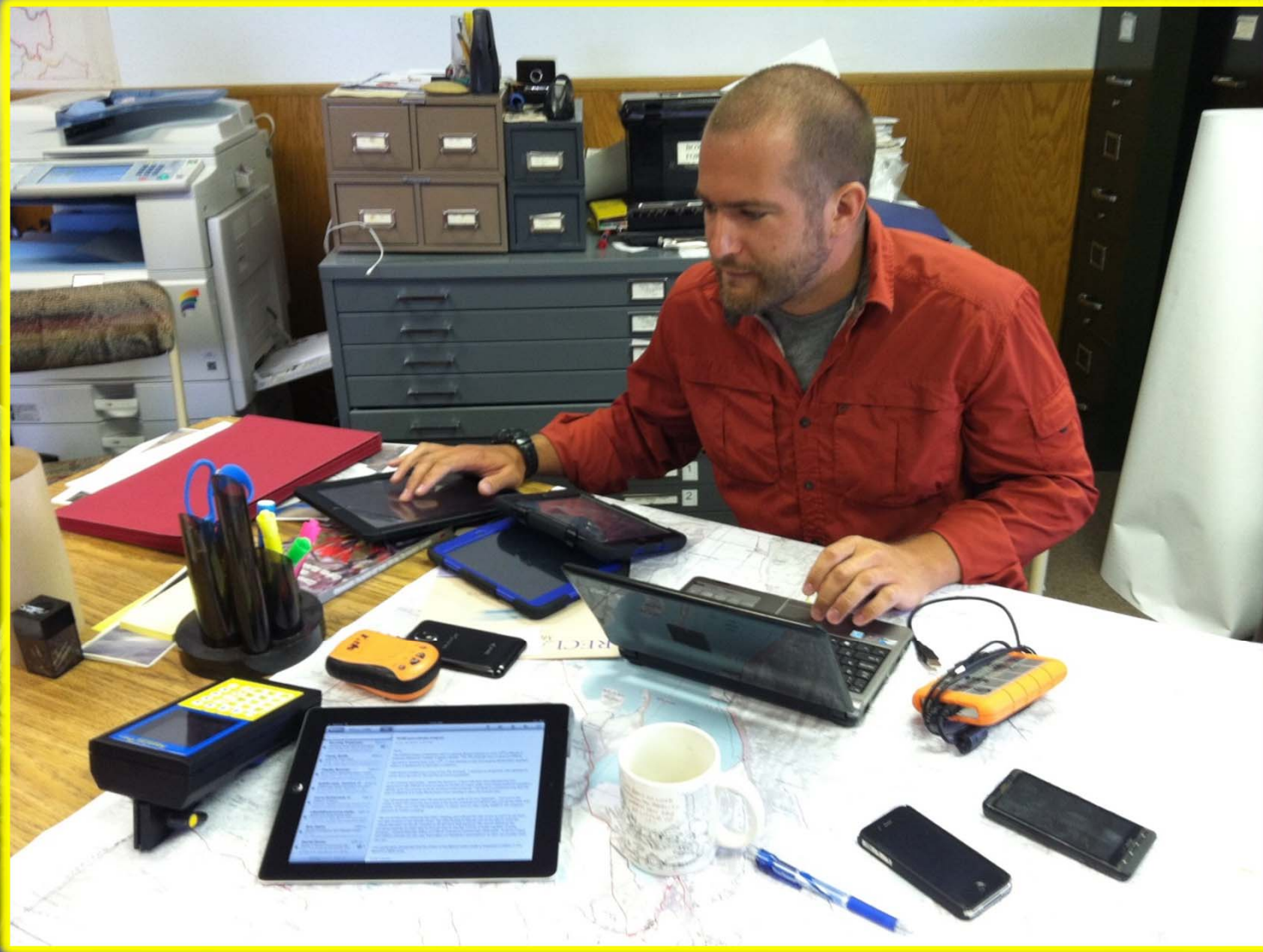
# Regulation

*Plan the day...*





# Regulation



***Load water right contact information***

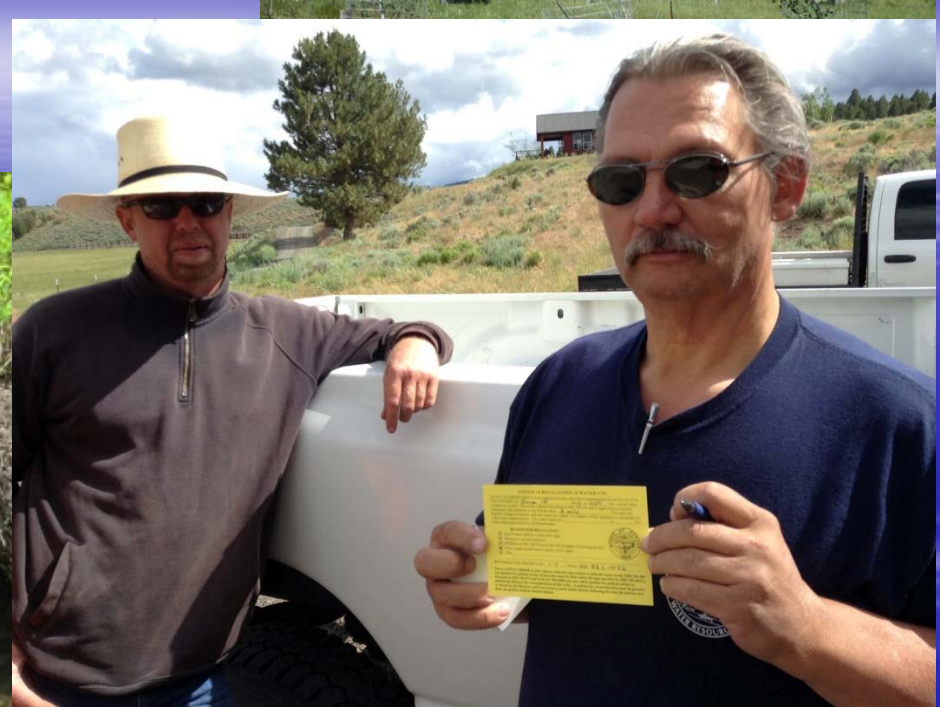


# Regulation

*Deliver the notice*



06/19/2013 15:32



# Regulation



Circle back around



# Regulation

## NOTICE of REGULATION of WATER USE

IS HEREBY GIVEN to the responsible party, that I have regulated and posted this WATER CONTROL on July 23, 2013, at 23:00 hrs., and the same is under my control. This order is posted according to ORS 540.045 and is legal notice to anyone interested in the diversion or use of water from Sycan River + TRIBS. You may not lawfully change or interfere with this water use control. A violation of this regulation is punishable by a fine and/or imprisonment. This order expires on OCTOBER 31 at 00:01 hrs., unless otherwise notified by the Watermaster.

### REASON FOR REGULATION

- Use of water without a valid water right.
- Violation of permit condition.
- Violation of ORS 540.310 and 540.320 (headgate/measuring device).
- Water supply insufficient to satisfy senior rights.
- Other \_\_\_\_\_



WATERMASTER, DISTRICT NO. 17 Phone: (541)883-4182

This is a FINAL ORDER in other than a contested case, subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the time specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.





# Acknowledged staff

*Scott White* – Dist. 17 Watermaster

*Garrett Steensland* – Dist. 17 Asst. Watermaster

*Jeremy Giffin* – Dist. 11 Watermaster

*Shavon Haynes* – Dist. 13 Reg. Asst. Watermaster

*Brian Mayer* – Dist. 12 Watermaster

*Tyler Martin* – Dist. 13 Reg. Hydro Tech

( The A Team )

# Questions ?



06/06/2013 14:27



Rumors of unfettered usage of drones, black helicopters and F-15's to accomplish regulation have been greatly exaggerated

