

**Water Resources Commission**  
**Teleconference Meeting**  
**Salem, Oregon**  
**May 15, 2015**

WRC Present (phone)

John Roberts, Chair  
Ray Williams, Vice-Chair  
Carol Whipple  
Dennis Doherty  
Jeanne LeJeune  
Bob Baumgartner  
Bruce Corn

Staff Present

Tom Byler  
Tom Paul  
Cindy Smith  
Racquel Rancier  
Brenda Bateman  
Doug Woodcock  
Dwight French  
Jesse Ratcliffe  
Richard Whitman (phone)  
Tyler Martin (phone)  
Kyle Gorman (phone)  
Klamath Office (phone)

Others

Randal Kizer  
Matt Vickery  
Roger Nicholson  
Andrea Rabe

Written material submitted at this meeting is part of the official record and on file at the Oregon Water Resources Department, 725 Summer St. NE, Salem, Oregon 97301-1271. Audiotapes of the meeting are on file at the same address.

Chair Roberts welcomed everyone to the meeting. Commissioners, staff and members of the public introduced themselves.

**COMMISSION MEETING**

**A. Request for Adoption of Temporary Rules, OAR 690, Division 22, Granting Preference to Stock Watering and Human Consumption Use in Klamath County**

Tom Paul, Deputy Director, briefed the Commission on the proposed adoption of temporary drought rules to grant a preference to water rights for stock water and human consumption within Klamath County, for up to 180 days or the duration of the Governor-declared drought, whichever is shorter.

Paul noted that a request was received from the Upper Klamath Landowner Improvement District (UKLID) to issue a stock water preference, and a request was also received from the United States Department of Interior - Crater Lake National Park to issue a preference for human consumption in Klamath County.

Comment letters were received from the Klamath Tribes and UKLID, expressing a need for the preference and proposing a condition on the exercise of the preference. WaterWatch of Oregon submitted a letter requesting efficient methods be used to transport water.

Commissioner Williams asked about section 690-22-0054(4) of the proposed rules, and if there was enough infrastructure to monitor and enforce that condition. Paul responded that the Watermaster will be monitoring the stock watering diversions, and taking action if violations are found.

Commissioner Doherty asked if the Department has had follow up with WaterWatch since they submitted their comments. Paul said that there had not been follow up.

Commissioner Doherty asked about the stock water preference notice form. Paul said that the Department will be using the information to follow up in the off-season to assist with finding alternate supplies of water.

Commissioner Doherty asked several questions about temporary rules that were adopted in previous years, and if there were any issues. Doug Woodcock responded to his questions, noting that the proposed rules include more sideboards and requirements in order to exercise the preference than in past years.

Paul described the work that landowners had already been implementing to try to establish more suitable supplies for stock. Commissioner Doherty suggested that if these efforts did not result in satisfactory results this year, stronger language should be used on the form in the future.

Andrea Rabe, Executive Director of the Upper Klamath Landowner Improvement District, reported that they have been working for the last two years, conducting outreach and assisting landowners in getting alternative sources for stock watering, but the demand is high and it is taking some time to get all of the work done.

Commissioner Williams asked that the notice form request a description of stock to be served.

Commissioner Baumgartner asked about a section of the rule referring to cattle, and questioned why it did not include other types of stock. After discussion, it was agreed that the term “cattle” should be changed to the term “stock” for clarity.

Commissioner Corn asked about how water is conveyed. Paul said there are many different ways, and all need to be reviewed on a case-by-case basis. Commissioner Corn was concerned that canal conveyances should not be allowed in the long-term because of the water loss. He also raised concerns about using these temporary measures, and said that there is a need to focus on long-term solutions. Commissioner LeJeune shared his concerns.

Commissioner LeJeune asked that the Department keep the Commission updated at each Commission meeting.

Rabe spoke about the delivery systems and the conservation efforts being put in place in the Klamath area. She thinks that close to 20 percent of users have some sort of conservation efforts in place, and another 20 percent will by next season.

Commissioner LeJeune made a motion to change 690-022-0054(4) to “water diverted for stock water is limited to the appropriate amount for the specific number of livestock it serves, and only the conveyance amount necessary to provide water to the place of use.” Commissioner Doherty seconded. Voting in favor of the change were Commissioners Williams, LeJeune, Whipple, Corn, Baumgartner, Doherty, Roberts. Opposed, none.

Commissioner LeJeune made a motion to adopt administrative temporary rules, OAR Chapter 690, Division 22, as amended. Commissioner Doherty seconded. Voting in favor of the motion were Commissioners Williams, LeJeune, Whipple, Corn, Baumgartner, Doherty, Roberts. Opposed, none.

Commissioner Doherty thanked the Upper Klamath Landowner Improvement District and the Klamath Tribes for their continued willingness to collaborate.

Chair Roberts agreed.

There being no further business, the meeting was adjourned.

Respectfully Submitted,

Lorri Cooper  
Administrative Support,  
Oregon Water Resources Department