



KLAMATH IRRIGATION DISTRICT

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12 August 2022

SUBJECT: Klamath Irrigation District Water Distribution Policy for 2022 as of 15 April 2022,
updated 12 August 2022

Situation: The Klamath Basin is nearly 20 inches BELOW normal precipitation since October 2019. This lack of precipitation combined with poor political policies has resulted in a limited amount of water available to be diverted for beneficial use. The District began applying water to select portions of the system on 1 March 2022 in anticipation of preventing additional damage to the infrastructure and to prepare to provide irrigation deliveries at the earliest opportunity.

Reclamation's 2022 Operations Plan states there is no water available for its "B" and "C" contractors which is consistent with K.I.D.'s contract with Reclamation. Reclamation's plan allows its "A" contractors to manage available water in Upper Klamath Lake based upon the United States Fish and Wildlife Service's biological opinion for minimum lake levels effecting endangered species. The situation requires immediate changes to Klamath Irrigation District delivery policies. Therefore, the following rules and regulations are established pursuant to ORS 545.221.

Current calculations indicate available water for "A" contracts in 2022 is just over 0.45 acre-feet per acre. Klamath Irrigation District is again forced to change from a demand-based delivery system to a supply-based ordering system; thus as supply becomes available, deliveries will be made. Therefore, **the District must limit patrons to 2 irrigations, not to exceed 0.25 acre-feet per acre in each irrigation.** The District will adaptively manage the deliveries as the infrastructure and availability allow.

Water orders as per District policy can be placed with your ditch rider up to 72 hours in advance of requested delivery. Due to the situation, there is a very high demand; water may not be initially available based upon the priorities set below; waiting lists will be established.

Canals will be limited to a set flow rate as allowed by our infrastructure constraints which will unfortunately create the necessity for waiting lists. Ditch riders have been given a daily allotment from these canals to fulfill orders. Ditch riders have been instructed to place orders on a waiting list and will inform patrons when they anticipate they will have water available to fulfill the order. No later than 12 hours prior to delivery, the ditch rider will make verbal confirmation of the scheduled delivery.

The A-3 system, which includes the "suburbs", will not receive water through the in 2022 irrigation season. For individual taxlots served on the A-3 with 3.99 acres or under, which meet the requirement for the Drought Response Agency Small Acres Program, the district automatically enrolled these acres. For individual taxlots with more than 4 acres, individuals were able to enroll in the DRA No Irrigation Program prior to 15 June. Please contact the District management for any further details.

Priority Water Rights:

Van Brimmer Ditch Company has the senior Project water right established in 1883. Ride 5 will provide up to 50 cfs (and no more) to Van Brimmer Ditch Company each 24-hour period (including water pulled directly from the Lost River) as supply allows.

Klamath Irrigation District patrons will be prioritized in the following manner:

a) **Henley-Ankeny** ground, as adjudicated with Oregon Water Resources Department is the next senior water right holder up to 49 cfs established in 1884. Rides 1, 3, and 5 will prioritize these deliveries over other Klamath Irrigation District patrons up to 49 cfs calculated across all turnouts.

b) **Supplemental Groundwater Permits:** Groundwater pumped into the infrastructure will be delivered to the lands outlined in the Oregon Water Resource Department issued permits. We will prioritize these deliveries to the rate of the groundwater entering the system over a 24-hour period. Any groundwater placed into the system which is not utilized will become available for the next in line for deliveries. Close coordination with the ditch rider (s) is essential as loss due to unnecessary spill could occur which reduces the remaining available water. Water orders are **REQUIRED** for these transfers.

c) Participants in the Drought Response Agency Program choosing not to irrigate 5 acres or more: When confirmed by Klamath Irrigation District Management, a land owner who places lands into this program will receive preference in the waiting list priority.

d) Remaining Klamath Irrigation District patrons: **First call = first delivery. As of 12 August 2022, no additional water is available at this time. Water not delivered to VBDC or Henley Ankeny lands, or lost to seepage and evaporation is being utilized to assist in moving ground water through the irrigation system for the benefit of the district and its patrons in line with our mission.**

e) Klamath Basin Improvement District and other Warren Act contractors: Water is not currently available for delivery. Unique transfers of an “A” contract water right to a “B” contract ground must be approved by the Bureau of Reclamation as per Reclamation’s 2022 Operations Plan; the District Manager will assist in applying for these transfers as time and schedule allows.

Rules:

Patrons may call up to 3 days in advance to place a water order for a set rate not to exceed 0.25AF/acre, and **not to exceed 144 hours** (6 days). This process does not guarantee the water will be available at the requested time; however, it is an attempt to prevent abuses in the system.

When water becomes available, ditch riders will call those patrons which have entered the supply window the evening prior to the delivery to confirm the patron can take receipt. The patron will have 1 hour from the time of the ditch rider’s call to confirm the delivery. If the patron is unable to confirm receipt, the ditch rider will move to the next order on the waiting list. The patron which is

passed over will return to the waiting list for the next available delivery.

Patrons are encouraged to measure their deliveries using the “Water Use Worksheet” found on our website. Ditch riders will measure the delivery as the official record.

Violations:

Calling water orders on and off as per Klamath Irrigation District Policy is always required. This year it is critical; every drop that passes by a turnout when patron’s don’t take their water order is charged to the patrons account, reducing the productiveness of their crop and availability of supply for others.

Taking water without calling on will be addressed as per the Klamath Irrigation District Policy with the following addition: turnouts will be locked with a non-standard lock on the **first violation with a \$1,000 fine**. If supplemental ground water is available to the violator, the District will accept water immediately pumped back into the irrigation system, at the owners expense, in lieu of the fine. Water orders will be curtailed for the remainder of the year, physical modifications to the turnout or pump may occur, with **a \$5,000 fee on the second violation; \$10,000 on a third violation**. The Board of Directors may vote additional repercussions which could impact the 2023 irrigation season for repeat offenders (regardless of a single property or multiple properties).

Taking of water without a rate, either a “B” contract or the max allotment has been reached, will result in pursuit of enforcement to the extent allowed by Oregon State Law.

Issues:

Address all issues concerning this policy with the Klamath Irrigation District Manager.
Address complaints of water allocation to Tom Byler at Oregon Water Resources Department.
Appeals will be processed as per Section 4 of the Klamath ID Patron Water Management and Delivery Policy dated 11 April 2019.



Gene Souza
District Manager