



BEFORE THE OREGON WATER RESOURCES DEPARTMENT

In the Matter of a Dispute)
Pursuant to ORS 540.210)

REQUEST FOR INFORMATION

Klamath Irrigation District)
Disputant,)

Bureau of Reclamation)
Reservoir Owner.)

TO: Klamath Irrigation District
C/O Gene Souza, Exec. Dir.
6640 Kid Lane
Klamath Falls, OR 97603

Pursuant to ORS 540.210, the authority delegated by the Oregon Water Resources Commission under ORS 536.026, and applicable regulations, **the Klamath Irrigation District** is hereby required to deliver documents and responses, on or before 5:00 p.m. on May 5, 2020, to the Oregon Water Resources Department (“Department”) offices at 725 Summer Street NE, Salem, Oregon 97301, or by electronic means, regarding the below topics.

As the Klamath Irrigation District serves many other irrigation districts and asserts in this dispute that it represents these other irrigation districts in this dispute, this request covers both the Klamath Irrigation District and the irrigation districts it serves. The Klamath Irrigation Districts and the districts it serves shall be referred to herein as the Complaining Irrigation Districts (CID). When referring to CID lands, this includes lands owned by the CID and the lands within their service area.

Beneficial Use Data

- 1) The number of the CID’s irrigated acres appurtenant to KA 1000 that are currently applying, or are ready, willing and able to apply, irrigation water to a beneficial use without waste for the remainder of the 2020 irrigation season.
- 2) The number of the houses on the CID’s lands appurtenant to KA 1000 that are occupied and are ready, willing and able to apply domestic use water to a beneficial use without waste for the remainder of 2020.
- 3) The number of head of livestock that are currently kept upon, or will be kept upon, the CID’s lands appurtenant to KA 1000, such that the water users are ready, willing and able to beneficially use incidental stock water without waste for the remainder of 2020.
- 4) The rate of flow in cubic feet per second (cfs) that the CID estimate is necessary to satisfy the uses listed in (a), (b) and (c) above.

Water Use Data

- 5) CID information regarding the daily average rate of diversion of stored water from Upper Klamath Lake (UKL) for irrigation uses under KA 1000 in 2020.
- 6) CID information regarding the daily average rate of diversion of natural flow from UKL for irrigation uses under KA 1000 in 2020.
- 7) CID information regarding the total cumulative amount of diversions from UKL for irrigation uses under KA 1000 in 2020.
- 8) CID information regarding the total cumulative amount of diversions from UKL for other, non-irrigation, uses under KA 1000 in 2020.
- 9) CID information about whether the current rate of diversion is meeting current demand for beneficial use of water uses under KA 1000.

Groundwater Use

- 10) CID information about how much water CID has pumped from the groundwater for irrigation uses in 2020, including which lands the groundwater was applied upon.
- 11) CID information about how many acres of land are being served by groundwater and not taking surface water.

Leases and Sales

- 12) The amount of water the CID have leased in-stream for 2020 from water rights appurtenant to KA 1000, and copies of any such in-stream lease documents.
- 13) Any CID resolutions for the sale of any property under ORS 545.367.
- 14) The basis for the CID's claim that they can sell water authorized for use under KA 1000, which is in excess of the needs to satisfy the water rights, to non-appurtenant water uses in 2020.
- 15) The basis for the CID's claim that they can sell water stored under KA 294 to non-appurtenant water uses in 2020.

Documents

- 16) A copy of all contracts, agreements, offers, options, letters of intent or other documents that relate to the lease or sale of any KA 1000 water rights in 2020.
- 17) A copy of all protocols, contracts, operating agreements, side agreements or other contracts or agreements that relate to the distribution of the water from the UKL in 2020.
- 18) A copy of all documents that give CID authority to divert more water from UKL than the quantity provided in the 2020 Operations Plan?

ISSUED this 1st day of May, 2020.



THOMAS M. BYLER, Director
Oregon Water Resources Department

CERTIFICATE OF SERVICE

I hereby certify that on May 1, 2020, I served a full, true and correct copy of the Department's REQUEST FOR INFORMATION, upon the parties hereto as follows:

Gene R. Souza
Klamath Irrigation District
6640 KID Lane
Klamath Falls, OR 97603

- by regular mail, postage prepaid
- by hand-delivery
- by facsimile # _____
- by certified mail # _____
- Other: Email

DATED this 1st day of May 2020.

Nirvana Cook

Nirvana Cook
Oregon Water Resources Department