Darsee -

As indicated in the screenshot from the Teacup Diagram below, diversion of stored water from UKL reservoir has dramatically spiked and is currently depriving KID and other water right holders in the Klamath Project of at least 500cfs of stored water they desperately need and are are entitled to use under their water rights. It is my understanding these diversions are being made for the purpose of filling PacifiCorp reservoirs so they will be at high levels for recreation in advance of the 4th of July weekend. Neither PacifiCorp, Reclamation, nor anyone else has a secondary right in UKL entitling them to divert stored water for the purpose of recreation. To my knowledge, OWRD has not approved any water right exchange application (and it couldn’t in accordance with law). Nor is there any other conceivable lawful basis for these diversions of stored water from UKL reservoir to the detriment of KID and other agricultural water right holders in violation of ORS 540.720.

Under ORS 540.210, OWRD is responsible for the distribution of water from UKL reservoir and must immediately cause this illegal distribution of water to cease. Please advise immediately whether or not OWRD will enforce the law. Time is of the absolute essence.

Nathan
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