

From: [Moulun Renee M](#)
To: [BYLER Tom](#); [PAUL Thomas J * WRD](#); [WOODCOCK Douglas E * WRD](#)
Cc: [Moulun Renee M](#)
Subject: FW: Illegal Stored Water Releases
Date: Wednesday, June 10, 2020 9:23:45 AM
Attachments: [Rietmann Law signature.png](#)
[image001.png](#)
Importance: High

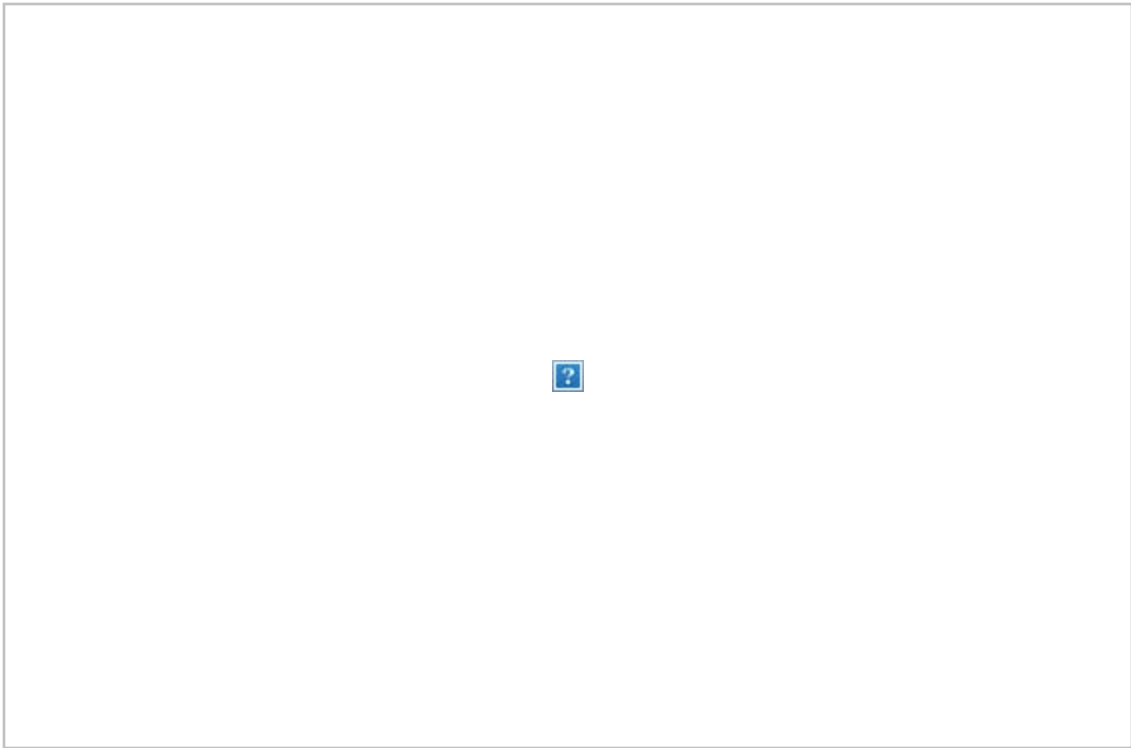
From: nathan rietmannlaw.com <nathan@rietmannlaw.com>
Sent: Wednesday, June 10, 2020 8:43 AM
To: Staley Darsee <Darsee.Staley@doj.state.or.us>
Cc: Moulun Renee M <renee.m.moulun@doj.state.or.us>; John Sample <John.Sample@pacificorp.com>; BUEHLER Dustin E * GOV <dustin.e.buehler@oregon.gov>; michael.gheleta@sol.doi.gov
Subject: Illegal Stored Water Releases
Importance: High

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 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



Rietmann Law, P.C.
1270 Chemeketa St. NE
Salem, Oregon 97301
Ph: [503-551-2740](tel:503-551-2740)
Fax: [1-888-700-0192](tel:1-888-700-0192)
nathan@rietmannlaw.com

*****CONFIDENTIALITY NOTICE*****

This e-mail may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If you are not the addressee or it appears from the context or otherwise that you have received this e-mail in error, please advise me immediately by reply e-mail, keep the contents confidential, and immediately delete the message and any attachments from your system.
