

Drought Shortages, Curtailments, and Calls on the River: Oregon – Crater Lake National Park

WSWC-WestFAST Non-Tribal Federal Water Rights Workgroup Workshop

Albuquerque, New Mexico

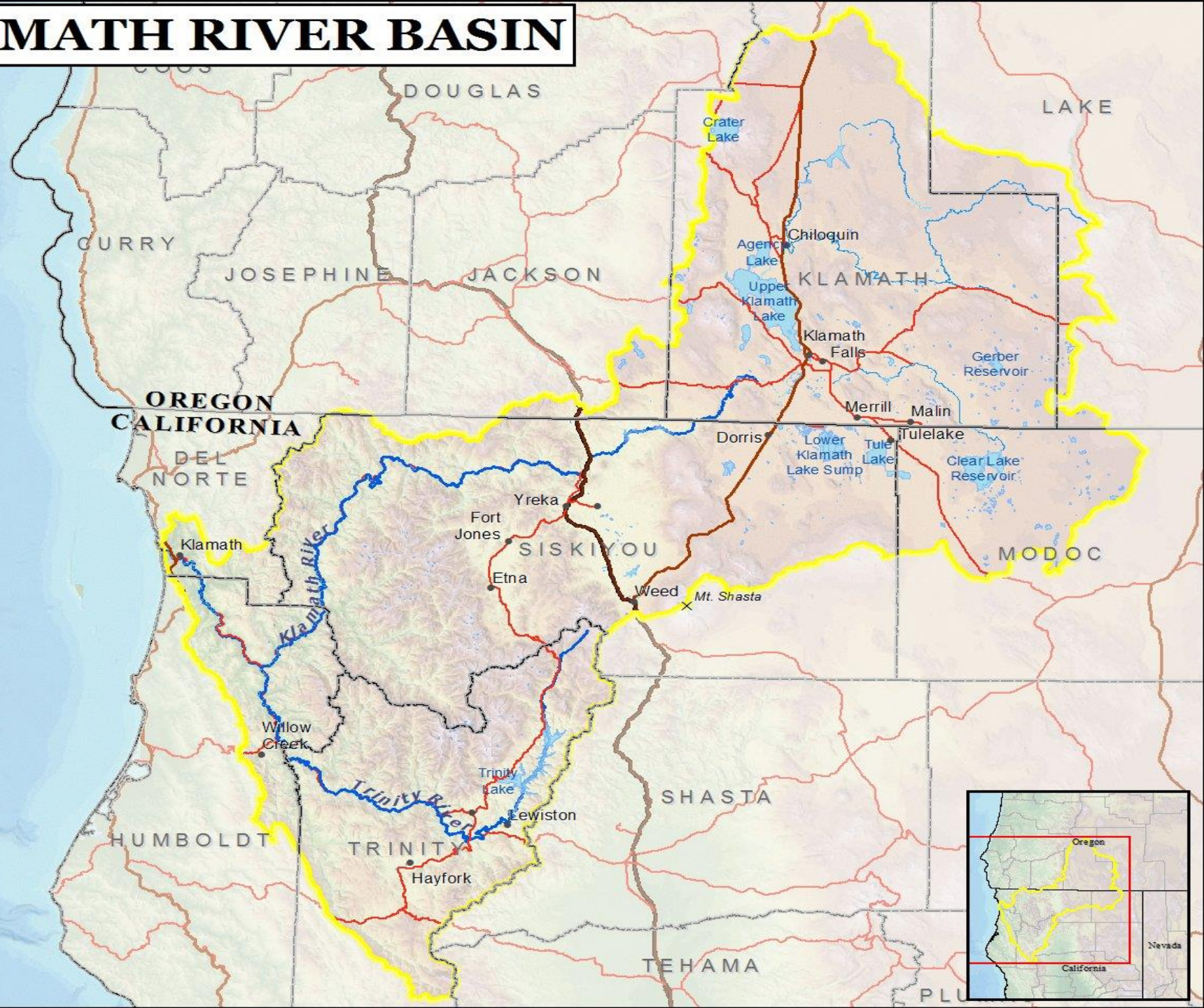
October 18, 2017

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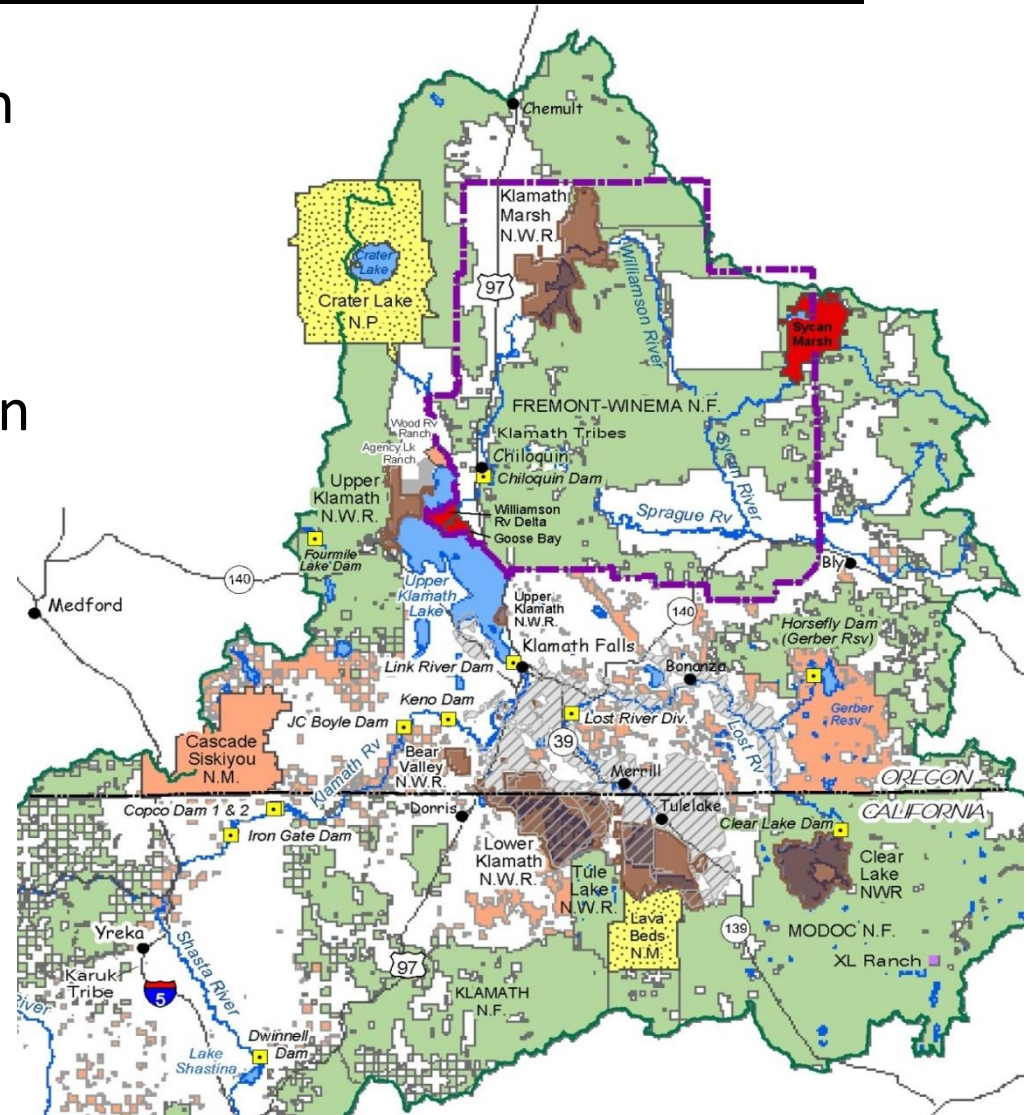
KLAMATH RIVER BASIN



Upper Klamath Basin



- 1864 – Klamath Reservation established
- 1902 – Crater Lake National Park
- 1905 – Klamath Reclamation Project authorized



Klamath Basin Adjudication



- Initiated December 1975
- Litigation
- Comprehensive adjudication – state and federal claims

Claim Type	Claims	Contests
Federal Reserved Claims	313	4,355
Bureau of Indian Affairs/Tribal Claims	64	340
Other Claims (Pre-1909, Allottee, Walton)	300	969
Withdrawn Claims	29	--
Uncontested Claims	24	--
TOTALS	730	5,664



Klamath Basin Adjudication



- Events in the basin show the need to resolve water issues
- Negotiation and settlement efforts



Klamath Basin Adjudication



- Findings of Fact and Order of Determination (FFOD) filed on March 7, 2013
- Allows regulation for “determined claims”



Post-FFOD Regulation



- Complicating Factors
 - Newness of regulation for holders of determined claims
 - Overlay of negotiated agreements
 - Drought Conditions

Ranchers plan to rally for water

March organizers say they want to raise awareness

SATURDAY
June 22, 2013



Mostly sunny
76/47
Page B4

Herald and News

empowering the community | www.heraldandnews.com — Klamath Falls, Oregon — 75 cents

Water shutoffs to expand in coming weeks



6/15/2013

Water shutoffs to continue

Judge denies temporary stoppage on Klamath Basin adjudication enforcement

By SAMANTHA TIPLER
H&N Staff Reporter

Klamath County Circuit Court Judge Cameron Wogan denied legal requests to temporarily stop enforcement of adjudica-

tion and water shutoffs at a hearing Friday.

Ranchers in the Klamath Basin asked for a temporary restraining order before hearings on a stay of enforcement in coming weeks. The requests to stay, or stop,

enforcement are being made against junior water right shutoffs after calls for water were made earlier this week.

The Klamath Tribes and Klamath Project irrigators made the first calls for water Monday. Senior water right hold-

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the f
right
issue
keep
tribe
back

06/19/2013 15:32

Post-FFOD Regulation



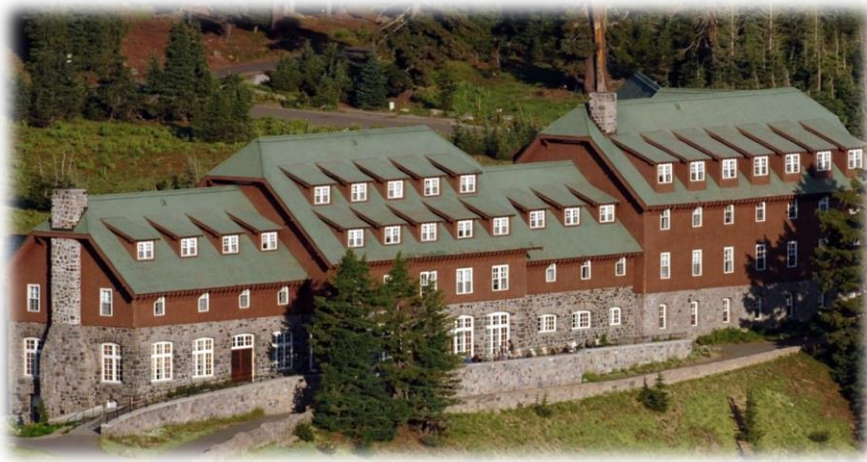
- Crater Lake National Park
 - Annie Creek determined claim - 1902 priority date
 - Junior to Klamath Tribes instream claim and other senior claims
- OWRD worked to help NPS find solutions



Post-FFOD Regulation



- Crater Lake National Park
 - NPS pursued groundwater right
 - Groundwater-surface water connectivity
 - State Scenic Waterway protection



Crater Lake National Park

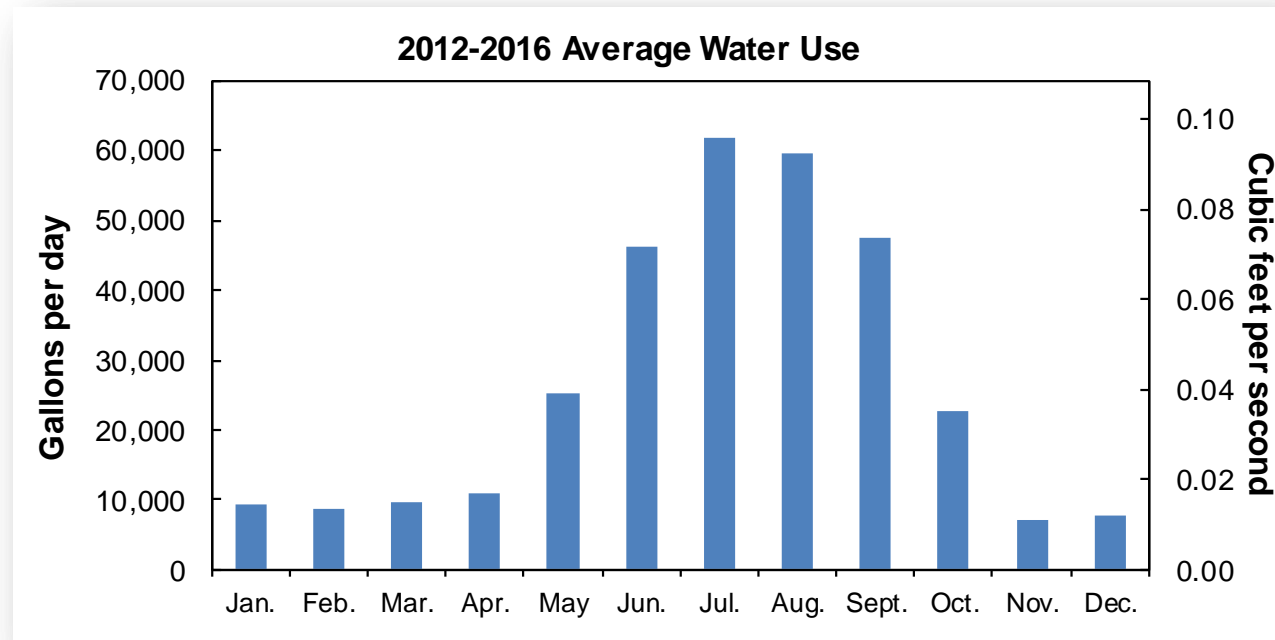


(Image courtesy of NASA)

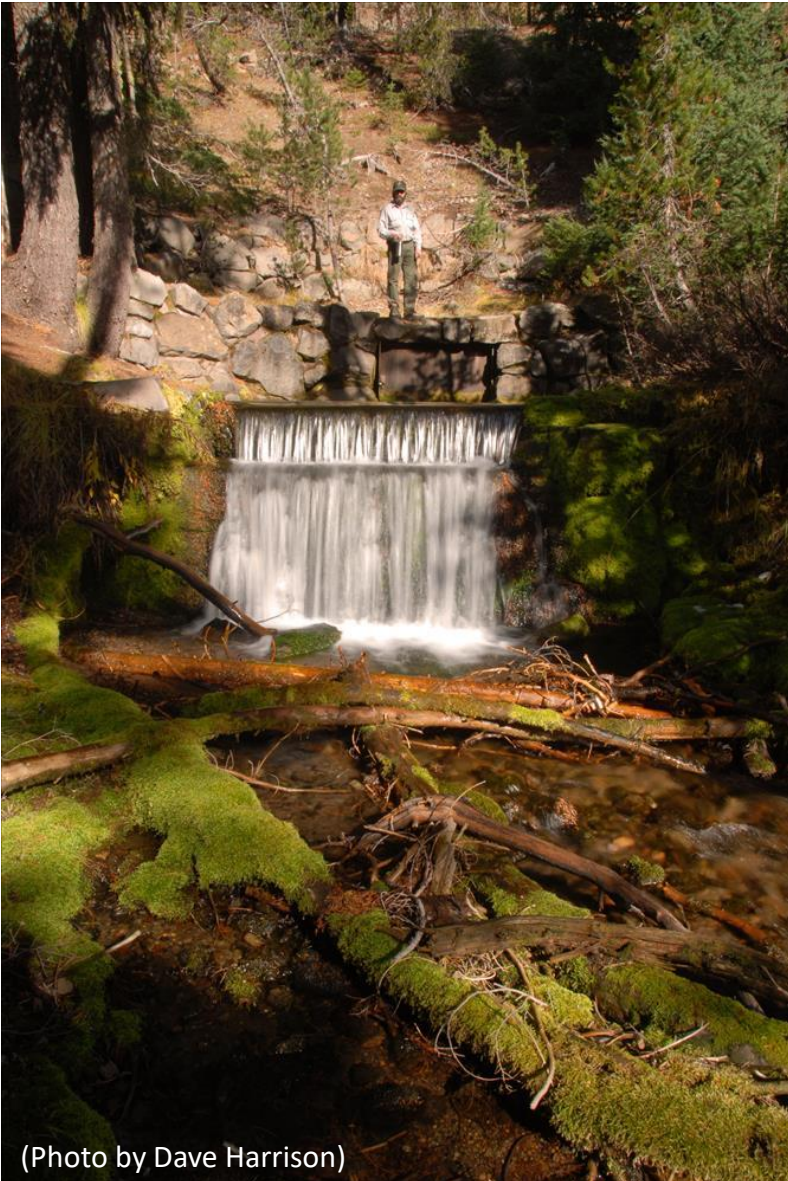
Crater Lake National Park



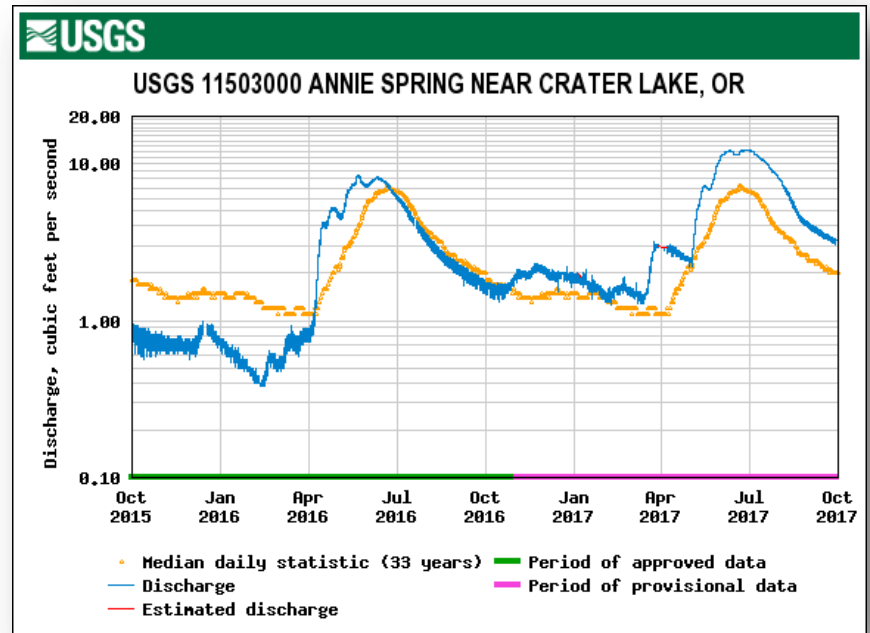
- 756,344 visitors in 2016
- \$65.3 million spent in local gateway regions
- \$89.4 million in economic output
- Xanterra Parks & Resorts concessions facilities



Annie Creek Water Supply



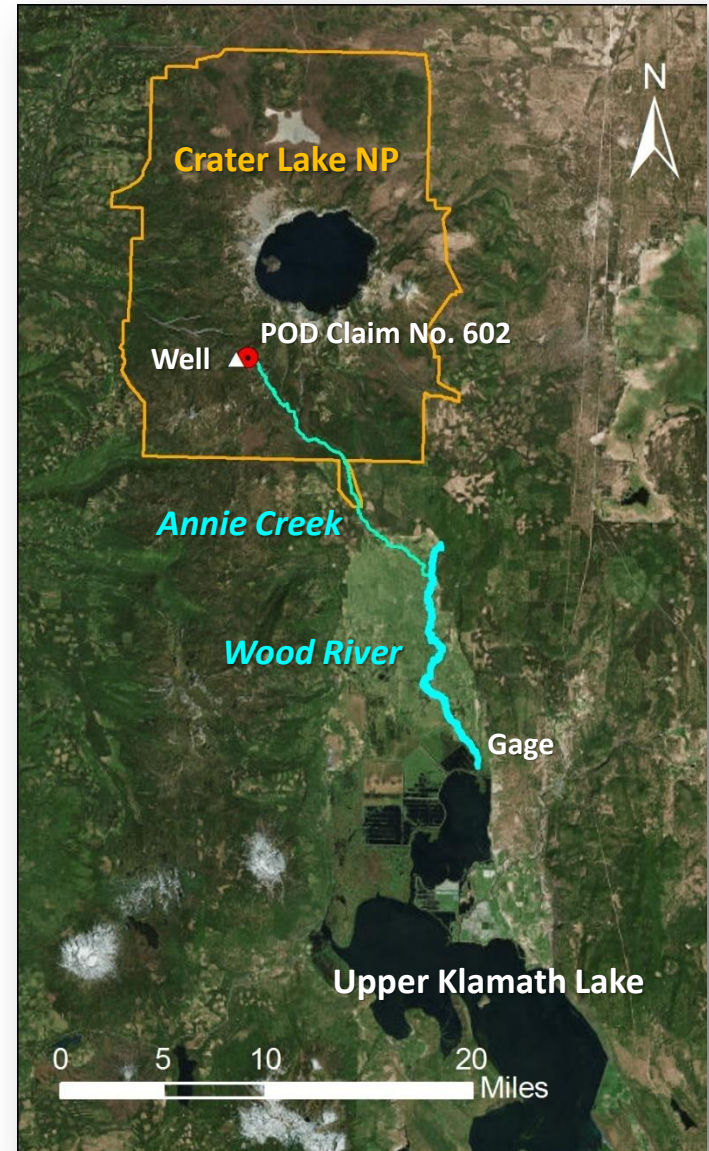
(Photo by Dave Harrison)



Annie Creek Water Supply



- Claim No. 602 for out-of-stream uses
- Instantaneous rate = 0.34 cfs
- Annual limit = 62.8 acre-ft/yr
- Priority date May 22, 1902



Timeline 1999 – 2017



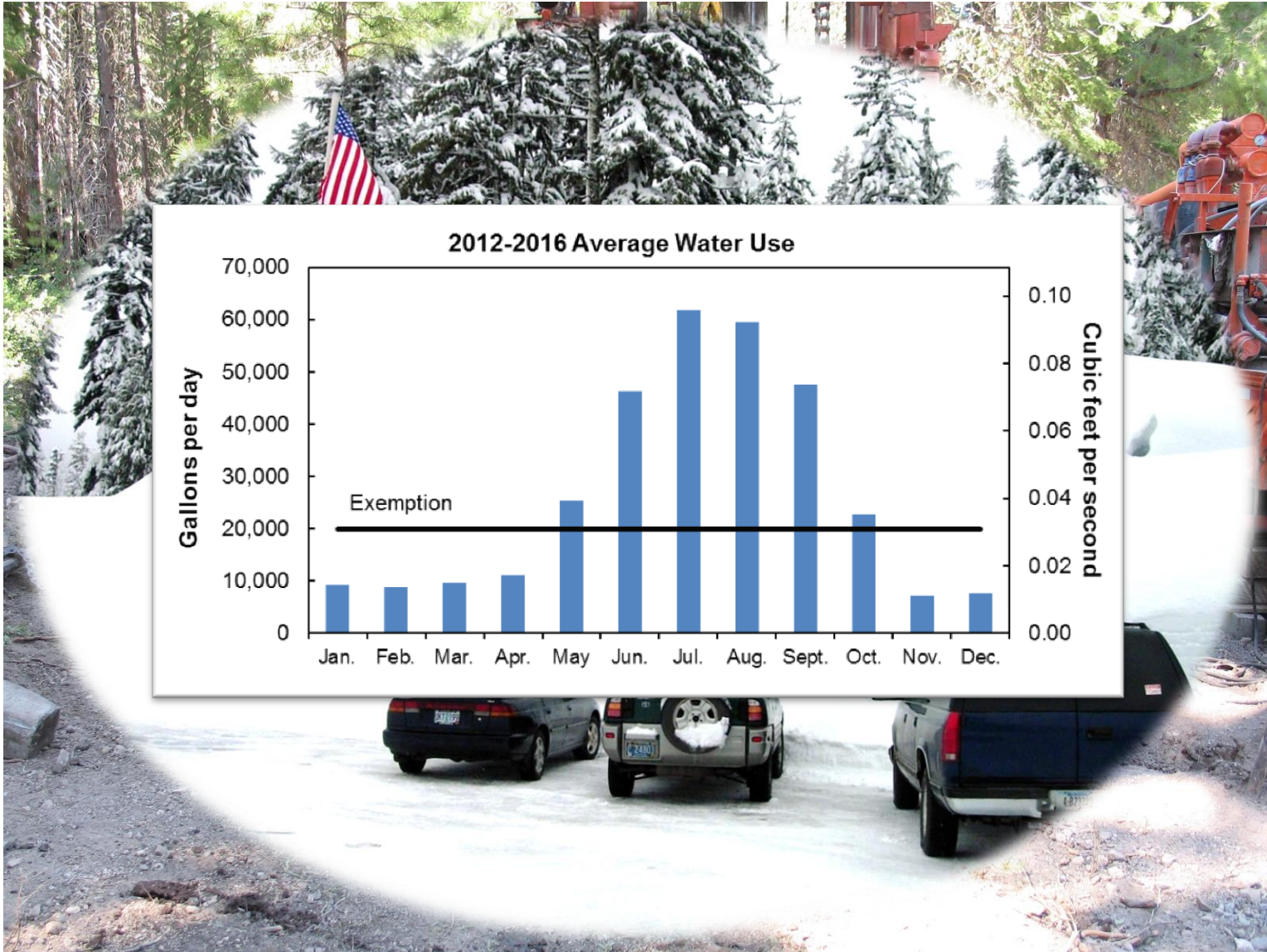
- **1999 – NPS submits Claim No. 602**
- **2002 – OWRD issues Proposed Order**
- **2013 – OWRD issues Findings of Fact and Final Order of Determination**
- **2013 to 2016 – Calls for regulation of the Wood River:**
 - 2013 - 2015 Drought emergency declarations and exemptions for human consumption
 - 2016 Forbearance agreements obtained from senior water right holders

Timeline 1999 – 2017



- **1999 – NPS submits Claim No. 602**
- **2002 – OWRD issues Proposed Order**
- **2013 – OWRD issues Findings of Fact and Final Order of Determination**
- **2013 to 2016 – Calls for regulation of the Wood River:**
 - 2013 - 2015 Drought emergency declarations and exemptions for human consumption
 - 2016 Forbearance agreements obtained from senior water right holders
- **2015 to 2017 – NPS seeks a state groundwater right**
 - Aug. 2015 NPS submits application for a state groundwater permit
 - Oct. 2015 OWRD publishes Initial Review for public comment
 - Mar. 2016 NPS publishes EA for public comment
 - Apr. 2017 NPS submits a mitigation plan for the well
- **2017 – Wood River regulated to Time Immemorial on May 1st**

Timeline 2017



Timeline 2017



Oregon Water Resources Department Klamath Tribal Instream Claim Dashboard

- [Main](#)
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Search Records

Claim Char: Claim Nbr: Start Date: End Date: [Chart](#)

Tool Tips Off: ☐

Wood River (KA-668, Gaging Station: 11504103)

Zoom

From To



Source: Oregon Water Resources

Concluding Remarks ...

- Stewardship of water resources is an enduring responsibility shared by the State of Oregon and the National Park Service
- Recognize value of instream claims to fisheries and riparian habitat
- Recognize socioeconomic consequences of regulating water use and development
- Successful stewardship requires collaboration

