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Judge Does not Rule, Farmers and Ranchers Continue to Irrigate

This morning, Judge William Orrick of the U.S. District Court for the Northern District of California heard oral arguments in the lawsuit filed by the Klamath Tribes against the Bureau of Reclamation, seeking a preliminary injunction that would require immediate shut-off of Klamath Project water deliveries.

The court also considered the motions to dismiss filed by KWUA and the federal defendants that argued that the case was not properly filed in San Francisco.

The Court did not issue any ruling from the bench. Water users who attended the hearing were encouraged by the overall hearing.

Water users feels that remarks by the Court suggested that it is likely the Court will agree that the case should not have been filed in San Francisco, and it seems likely the Court will transfer the case to the federal courts in Oregon.

If that occurs, Judge Orrick will not rule on the motion for preliminary injunction, but water users at the hearing had the impression that he did not believe the motion had merit. If the case if transferred to Oregon, the motion for preliminary injunction can be considered there, if the Tribes decide to continue with it. The timing of that process is unknown.

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