2015:

Water Supply Availability

Unfortunately 2015 was again a year of declared drought for Klamath County, the fourth consecutive year of drought. The water year started off with strong storms, even though they came with warm temperatures. The majority of snowfall came in late December, January was relatively warm and dry, and the precipitation that has fallen since has been mostly rain. March came in warm and sunny, and left with cold temperatures and little snow in the Cascades. The Klamath Project relies upon snowpack to sustain inflows to Project reservoirs during the summer months in order to meet the Project's irrigation demands. Inflows to Upper Klamath Lake were forecast at 39 percent of normal.

On April 1st, 76 % of snow monitoring sites were at their lowest level on record. Snowpack level was approximately 7% of normal, while precipitation levels were 96% of normal. This was the largest disparity on record between precipitation and snowpack.

The Project deliveries would have been sufficient to meet all of the agricultural irrigation needs within the Project, if average snowpack and the resulting inflow to Project reservoirs had been realized for 2015.

Reclamation's April 1st forecast, consistent with the biological opinions, for 2015 surface water supply from Upper Klamath Lake was 254,500 AF including an allocation to Klamath Drainage District of 23,081 AF. This was about 65% of full supply. Reclamation expected to be able to deliver around 220,000 AF. Reclamation did not allocate any water to Warren Act contractors for irrigation until the last week of June. At that time, they allocated 1/4 AF/acre to the Warren Act Contractors. An additional 3/4 AF was allocated to Warren Act Contractors in mid-July 2015.

On the East Side there would be no water deliveries from Clear Lake and very limited deliveries from Gerber.

At the end of the 2015 irrigation season approximately 30,000 acre-feet was left over. The water users felt this water was a result of their call on the junior Upper Basin water rights along with their conservation efforts and that the excess water should be stored and available for their use in 2016. Reclamation claimed to be unable to apply this water to next year's allocation. Discussion occurred over several weeks. Reclamation later delivered 18,915 acre-feet of this water to the Refuge.

Policy Development

The Policy Committee was formed in October 2014 with the same committee members as the previous season, however it was decided to allow other irrigators to participate on the committee also. Director Liskey and Director Derry were appointed co-chairs of the committee. At the first committee meeting, several irrigators came to participate and offer up their ideas. After several meetings and discussions, a draft Demand Management Policy was submitted to the Board.

The draft policy offered three options: 1) Full season land idling, 2) Sprinkler option – 6" surface water could be applied by sprinklers between April 15 – October 15 if it was metered. The rate would be ½ the full-season rate, and 3) Flood option – same details as #2 above.

Although Director Derry did not participate in the policy committee meetings, he later stated in a board meeting that he was concerned that if someone participated in the flood option and irrigated late in the season then again in the spring that they essentially could get a full crop and KWAPA would pay for zero water saved. There was discussion about limiting the number of acres in the sprinkler option and whether or not to limit for all options should be a 20 acre minimum. The policy was later amended by the board to offer full season idling only, reduced the suggested 20 acre minimum to a 5 acre minimum, and extended the application deadline from March 3rd out to April 7th. The board set the rate per acre at $300 an acre. This amount was justified by review of previous year's bids and a discussion within the board that $300 per acre was the amount needed to be offered to obtain the level of participation needed to bridge the water gap. A same policy for land idling was approved for Eastside only limited to the balance of funds available for Eastside, splitting those funds equally among all those contracting to idle.

A Groundwater Pumping policy was approved for a "block" of water from each zone. A total of 12,000 acre-feet from South Tulelake zone, 16,000 acre-feet from North Tulelake zone, and 12,000 acre-feet from Klamath Valley zone. A small amount will be pumped in Lower Klamath Lake zone as well. Target is 40,000 acre-feet to be pumped. Contractors will be paid for cost of power plus $20 per acre-foot pumped. The board amended the policy to include "C" land as long as the acreage in listed on the FOD map or have filed for an exception and district assessment were paid.

Goals and Objectives

1. Groundwater Pumping
    a. 40,000 acre-feet by August 1st
2. Demand Management
    a. 35,000 acres at $300 per acre
3. Eastside Demand Management
    a. The balance of the $3,000,000 obligated by Reclamation was $321,141.78 to be split equally by however many acres contract.
4. Domestic and Municipal Well Mitigation Program
    a. Mitigate impacts on area domestic wells as deemed appropriate by OWRD/CDWR
        i. Limit groundwater pumping in certain zones where more impacts have been seen.
        ii. Deepen wells and lower pumps
        iii. Drill new wells
5. Groundwater Abundance Study
    a. Coordinate monitoring and monitoring schedules
    b. Analysis and interpretation and modeling of groundwater data
        i. Formal mechanism for assessing management effectiveness and model accuracy,

ii. Estimate of the volume of groundwater that can be sustainably pumped based on groundwater levels, modeling results, pumping history and other data.

c. Coordination of reporting results being done by a variety of agencies
   i. A single point of access website for accessing the monitoring data and reports from multiple data sources was finished
      1. allows for activity visualization for how events may impact wells. Eliminates multiple websites that are all different and somewhat complicated to navigate.

Successes

- The Refuge received 18,915 acre-feet of water from the Project.
- Inviting irrigators outside of the board members to participate in the planning of the programs brought in new and fresh ideas. There seemed to be a true desire within the policy committee to try something different than what had been done in past programs. The committee members expressed the need to study alternative irrigation options. Over 200 hours of discussion from project irrigators were put into the planning of programs for 2015.

Problems

The majority of the Board of Directors was not willing to adopt or really even consider the policies created by the policy committee. The board ultimately decided against all options except flat rate full season land idling and groundwater pumping as usual.

The amount of groundwater pumping was not based on recommendations by USGS, OWRD or CDWR. OWRD recommended WUMP contracting be limited to no more than 15,000 acre feet in Oregon and CDWR recommended no WUMP contracting in California.

Concerns

1. The Board still does not understand that WUMP is a "study" of stakeholder ability to administer "supplemental" water program and not mitigation due to them for "taking" their irrigation water.
2. When the Policy Committee set the price for groundwater pumping at power plus $20 per acre foot, staff asked how to represent that amount as justifiable. Staff was told it was the committee's opinion that was the amount it would take to get well owners to participate.
3. The Board Chair stated the following about WUMP during the July 14th board meeting:
   a. Land Idling does not produce measureable water but does significantly reduce demand.
   b. Groundwater can be mined quickly.
   c. It does not take long to create an entitlement mentality. When one feels they are "owed", they cease to make decisions for the greater good of the community.
   d. The current district boards and other water related organizations will have difficulty managing the millions of dollars of the KBRA.

Benchmarks

a. Technical Capability:
   - KWAPA staff has the ability to quickly and efficiently implement program policies. KWAPA staff has developed procedures to minimize risk of fraudulent applications being accepted or of contract terms being violated. The board never allowed management to develop the capability to verify the amount of water secured in land idling.

b. Fiscal sustainability:
   - KWAPA (the stakeholder in the WUMP agreement) is not fiscally sustainable without federal funds, as is demonstrated by the fact that all employees are being laid off at the end of the WUMP contract.

c. Professional conduct (conflict of interest

d. Dispute resolution:
   - The Simon lawsuit was settled.
   - In past years, as staff found contract violations these were brought before the board of resolution. Most times the board would side with the contractor and instruct staff to overlook violations. In 2015 when idled land was found to be irrigated, staff reduced the payment by the acres that has received benefit. If a contractor wanted to dispute the action of staff, it could be brought before the board. There were no contests to the action of staff.

e. Partnerships:
   - No new partnerships were established. Existing relationships were continued. Reclamation, irrigation districts, OWRD, CDWR, USGS etc.

f. Flexibility:
   - KWAPA staff maintained the extreme flexibility of responding to changes in policy from the board.
   - The board did not demonstrate any flexibility in entertaining new ideas and deviating away from the groundwater pumping and land idling of the past.

g. Innovative solutions:
   - The board was not willing to entertain new ideas.

Closing comments

These reported results of the Water User Mitigation Program are not how KWAPA staff would have liked the results to have been. KWAPA staff would much prefer that "stakeholder" management of a supplementation program would have been such a resounding success that KWAPA was recognized as an asset to the irrigation community and would continue to function doing the things the irrigation community needs done for sustainability of agriculture in the Basin. It is with sadness that we report that KWAPA is closing on March 31, 2016.

KWAPA began with great hope of being that organization that would provide the bridge into the future for a successful transition from a prosperous past to a prosperous and secure future for the Klamath Project. However, on the date of the writing of this report, it is easy to say that the irrigators of the Klamath Project are not yet ready to let go of past issues and move forward to what is possible as a new future.

All the information contained in the above report is taken from the official minutes of KWAPA board meetings and from quarterly reports. Anyone reading this report who continues to have questions should read the KWAPA board meeting minutes. The minutes are available at the office of both Reclamation and KWAPA attorney Bill Ganong. Bill Ganong is retaining the official minute books. Those books also contain a lot of supplemental information that was presented to the KWAPA board in their Board Packets.