



Klamath Water Users Association
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Weekly Update

April 1, 2005

Also available at: www.kwua.org

CLEAR LAKE WATER USERS MAY GO DRY

The Herald and News

By DYLAN DARLING

Irrigators in the Bonanza area are working with federal water managers to find ways to avoid what appears to be a disastrous summer ahead.

U.S. Bureau of Reclamation officials met Friday with Langell Valley and Horsefly irrigation district officials to discuss low water levels in Clear Lake.

Officials have said the low water could mean no water for irrigation from the lake this year. Now discussion is on hold until next month when the Bureau comes out with its operations plan, which will set forth who will get how much water for the growing season.

Monday, March 28, 2005 2:50 PM PST

Editors Note: The drought is real, and the greatest impact will be on the farmers in Langell Valley. This situation shows the value of carry-over storage and why the Langell and Horse Fly irrigators are always concerned and protective of Gerber and Clear Lake Reservoirs.

TAKINGS HEARING DRAWS INTEREST

during a video hook up with Judge Allegra's court on March 30. OIT provide the room and technical facilities for more than 50 people to watch a US Court of Claims hearing where testimony was given debating whether the Klamath Project irrigators have a water right. After two years of legal maneuvering, the Klamath Takings Case is finally getting some momentum towards dealing with the merits of the case. At the OIT site the crowd was polite, but concerned about how our partners and trustees in the Klamath Project, the United States,

portrayed our century old relationship. The State of Oregon should surely be concerned that the council for the US claimed that the water was theirs to do with as they pleased.

The US council also claimed that since the Klamath River adjudication was not complete, the irrigators had no "right". Irrigator council Roger Marsulla countered that the United States has claim in the same adjudication and therefore must not have a right either. If that is the case, we have been operating the Klamath Project for 100 years without any "rights" and there is gross negligence on the part of the United States not to protect the rights of irrigation and communities.

We pray that Judge Allegra will be able to sift through the compost. As for the US council, your job is to protect and defend the citizens of the United States; we are truly embarrassed for you.

SK

DEFINITION OF 'DITCH' IS MUDDY AT BEST

By Cindy Skrzycki

Everyone is digging his own ditch in this debate.

Under the 1972 Clean Water Act, the Environmental Protection Agency and the U.S. Army Corps of Engineers have jurisdiction over whether a ditch qualifies to be protected as a wetland.

The Corps considers whether a ditch is an isolated, non-navigable waterway open to development or a navigable U.S. waterway that deserves protection. This can include consideration of whether a ditch is a tributary, as some courts have ruled, and, thus, part of a U.S. waterway.



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February 4, 2005

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Editor Note: This little "ditch" article demonstrates the absurd perspective of the law. I am sure that since the effluent in the flush pipe is navigable by microbes that the Army Corp needs jurisdiction.

Salmon harvest of Klamath stocks limited

By Susan Chambers, Staff Writer

A crowd of about 100 recreational and commercial salmon fishermen and representatives from related industries packed the Umpqua Room at the Red Lion Hotel on Monday evening and told fishery managers: We don't like your options.

For commercial fishermen on the South Coast, the range of options dwindle the closer the area is to the Klamath River, the river system responsible for most of this year's shortened seasons. Though the options contain other management options such as sport and commercial allocations and sizes of harvestable fish, the main changes relate to seasons. From Cape Falcon to the Florence South Jetty: There would be no fishing in July or August;

The problem, managers say, is that low spring flows in 2002 - when water was diverted to California farms - created multiple problems for young and adult salmon, cutting down on the numbers of fish that survived that year. Now, three years later, that year class is too small to sustain a higher level of fishing. Enough fish must survive natural mortality and fishing to reproduce and keep the population strong.

Though many fishermen said the science on which managers base their decisions isn't accurate - "You're doing science on computers, not on fish," Port Orford troller Chris Aiello said.

"There are none of these options that are acceptable," Oregon salmon troller Rayburn Guerin said at the meeting. "We've been held hostage by the Klamath system way too long. ... How many millions of dollars do you want the Klamath to extract from coastal communities?"

Charleston Harbor Master Don Yost, noting that he was concerned about both recreational and commercial fishermen and revenues to coastal communities, challenged the council to find more options. "Without options, they're out of business," Yost said. "Let's find them a few more days on the ocean."

The Pacific Fishery Management Council will determine final fishing seasons at its April 4-8 meeting in Tacoma. For more information, those interested can call the council at (503) 820-2280 or, toll-free, at (866) 806-7204. The council's Web site is <http://www.pcouncil.org>.

Editors Note: As you can see the commercial fishermen are also adversely impacted by questionable science. Is there real danger to salmon stocks or is this just an opportunity to leverage societal change? There is a concerted effort to divide the food providers of the region and pit them against each other. Real solutions will only be forth coming when we work together. SK

Klamath River Water Temperature Trends unrelated to Main-stem water availability

John M. Bartholow. 2005: Recent Water Temperature Trends in the Lower Klamath River, California. North American Journal of Fisheries Management: Vol. 25, No. 1, pp. 152-162.

Abstract.-Elevated water temperatures have been implicated as a factor



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limiting the recovery of anadromous salmonids in the Klamath River basin. This article reviews evidence of a multidecade trend of increasing temperatures in the lower main-stem Klamath River above the ocean and, based on model simulations, finds a high probability that water temperature has been increasing by approximately 0.5°C/decade (95% confidence interval [CI] = 0.42-.60°C/decade) since the early 1960s.

The season of high temperatures that are potentially stressful to salmonids has lengthened by about 1 month over the period studied, and the average length of main-stem river with cool summer temperatures has declined by about 8.2 km/decade. **Water temperature trends seem unrelated to any change in main-stem water availability but are consistent with measured basinwide air temperature increases.** Main-stem warming may be related to the cyclic Pacific Decadal Oscillation, but if this trend continues it might jeopardize the recovery of anadromous salmonids in the Klamath River basin.

**BEAVER SUPPORT:
EDITORIAL: OPINION OF THE TRIBUNE
What beavers don't know will save them
The San Luis Obispo Tribune – 3/29/05**

We're generally ambivalent when it comes to rodents. Rats and mice? Bad. Bunnies? Better. But there's one rodent that earns our respect. The beaver.

In this instance, though, the industrious little engineers are damming a couple of drainage culverts near Chumash Park, an act that threatens to keep water from draining into an ecological preserve. At the same time, their construction skills are in danger of overflowing the park's pond and flooding playground equipment. They probably can't help it; in a beaver's world, the culverts are

probably seen as two holes in an otherwise perfectly serviceable dam.

City officials have spent about \$4,000 keeping the culverts cleaned out during the last year and have thought of either shooting the animals or trapping them for relocation. We're happy to hear of a third, better, alternative.

Realtor Debbie Peterson works within earshot of the beavers and has been following their exploits for the past 15 months. She and her son even named one of the hard-working beavers Bob, the Happy Beaver. When she heard of the problems -- and potentially lethal solutions -- she printed up a thousand postcards asking for help to "Save Bob!" and passed them out last week at area elementary schools. That was enough to motivate her colleagues, who then called Pismo City Council members with their concerns.

As Cynthia Neff notes in her story today, Peterson and about 75 colleagues have agreed to clear the culverts once a week, so the beavers can stay.

"It just makes it that much more pleasant to go to work when you can step outside and hear the wildlife ... and see Bob," she said.

We applaud this plan for several reasons:

- Beavers are what's called a "cornerstone species" because they change and benefit their engineered environment. The dams they build create ponds, which, in turn, create habitat for frogs, turtles, birds and fish. The ponds also act as filters for silt and pollutants.
- Having a working beaver pond in an urban area is not only an educational opportunity but it gives a sense of wildness that can be a salve for stress.
- Bringing community members together to solve a problem builds ownership of the situation while lessening dependence on government for a solution.



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In that light, we give a hearty beaver tail high five to Debbie Peterson and her intrepid crew of culvert cleaners. #

<http://www.sanluisobispo.com/mld/sanluisobispotribune/11257047.htm>

Beaver Note: As every good Oregon State University alumni knows, the way to keep beavers out of your back yard is to put up goal posts. Next week a study on pond nutrient loading by ducks, subtitled "where algae comes from".

KWUA Calendar

April 4 first working day for new Executive Director Greg Addington

April 4 KWUA Power Committee meeting at KWUA office 7 PM.

April 13 KWUA Board of Directors meeting at KWUA office 6 PM.

On April 16th Senator Whitsett and Representative Garrard will be holding a joint Town-Hall Meeting in Klamath Falls. Details T.B.A.