An Institutional Analysis of Irrigation Governance in the Upper Klamath Basin (Oregon, USA)

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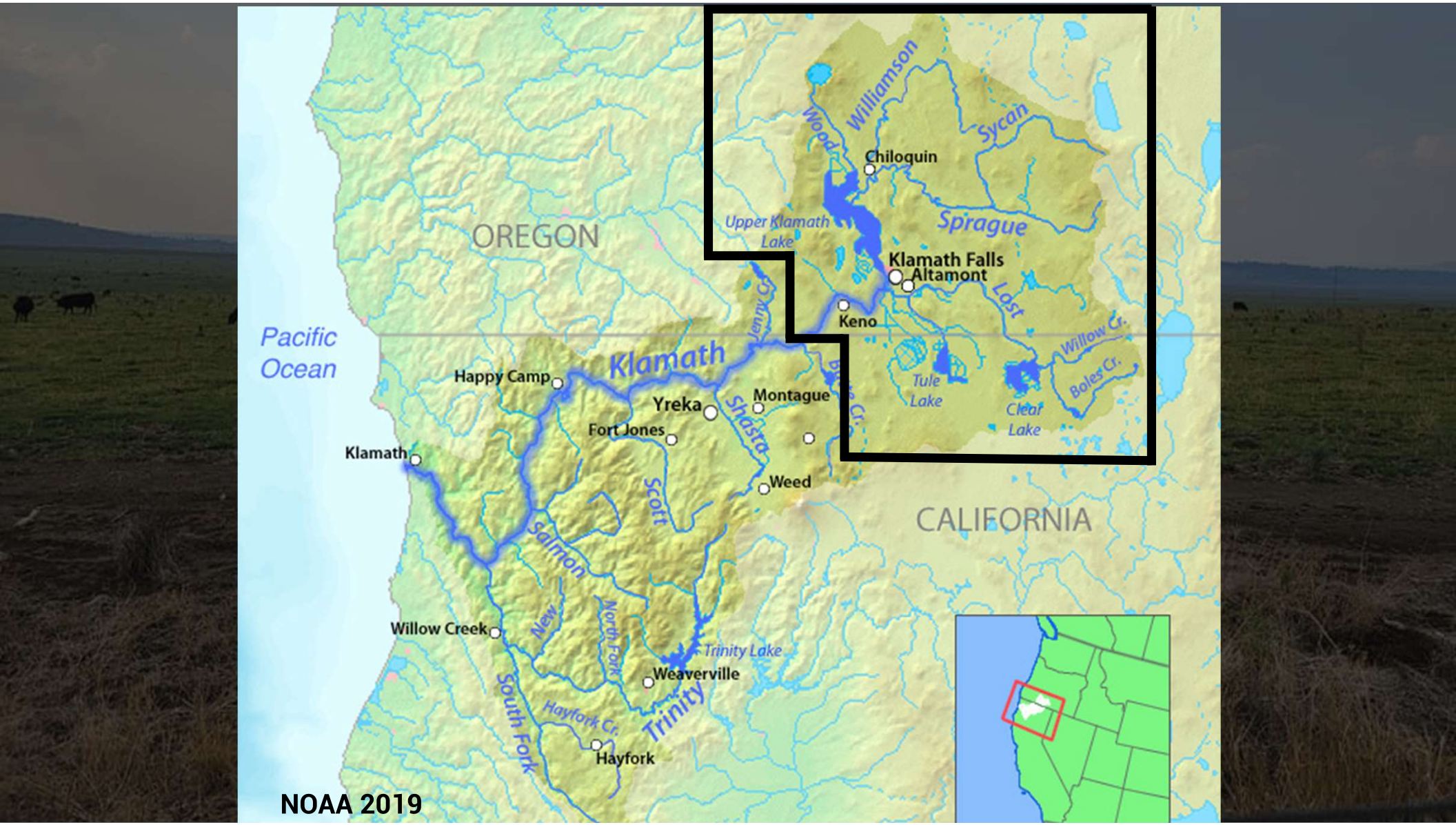
USDA NIFA

PennState College of Agricultural Sciences


OREGON
CALIFORNIA
Pacific Ocean
Klamath
Happy Camp
Yreka
Fort Jones
Montague
Weed
Klamath
Willow Creek
Weaverville
Trinity Lake
Hayfork
Hayfork Cr.
Salmon
New
North Fork
South Fork
Trinity
Scott
Shasta
Jenny Cr.
Upper Klamath Lake
Williamson
Wood
Sycan
Chiloquin
Sprague
Klamath Falls
Altamont
Keno
Lost
Willow Cr.
Boles Cr.
Tule Lake
Clear Lake
NOAA 2019

Sierra
THE MAGAZINE OF THE SIERRA CLUB

In the Klamath River Basin, the Drought Punishes Everyone

There's simply not enough water to go around

By Juliet Grable | Jun 4 2021

Climate Change Is Inflaming A Long-Simmering Conflict Over Water In The Klamath River Basin

Who has a right to the Klamath River, where there's not enough water to meet everyone's needs?

Lucy Sherriff Underscore
Published 6:00 a.m. PT Aug. 8, 2021

'There Are No Winners Here': Drought in the Klamath Basin Inflames a Decades-Old War Over Water and Fish

By Anne Marshall-Chalmers
July 16, 2021
Inside Climate News

Racism, drought and history: Young Native Americans fight back as water disappears

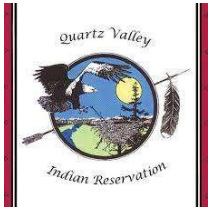
Los Angeles Times
BY ANITA CHABRIA | STAFF WRITER
Photography by ROBERT GAUTHIER
JUNE 23, 2021 5 AM PT

Federal

State

Municipalities + agencies
Counties + agencies

Tribal



Regional

Non-profits & Environmentalists

Local

- Farmers + ranchers
- Commercial fishers
- Ag + non-ag landowners
- Recreationists + hunters
- Business owners
- Political groups
- Right wing separatist groups

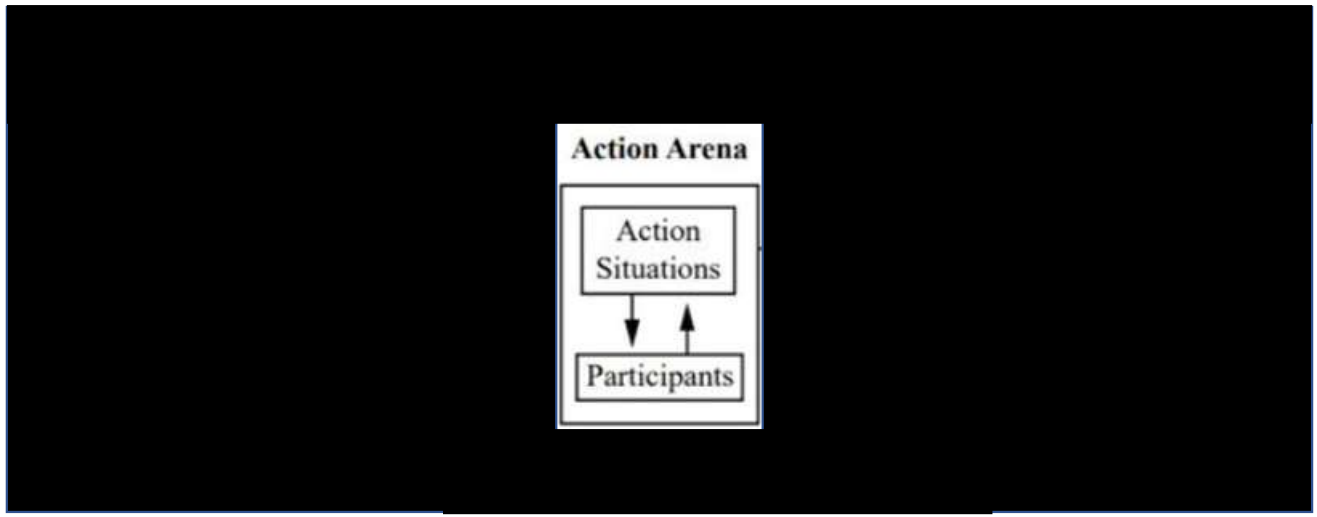
Today's roadmap

1. Share my preliminary model of the Klamath Irrigation Project's water governance structure

2. Highlight two parties: the Bureau of Reclamation Klamath Basin Area office and the Klamath Irrigation District

3. Discuss how these parties' positions have led to current conditions in the Upper Klamath Basin's water allocation "action area"

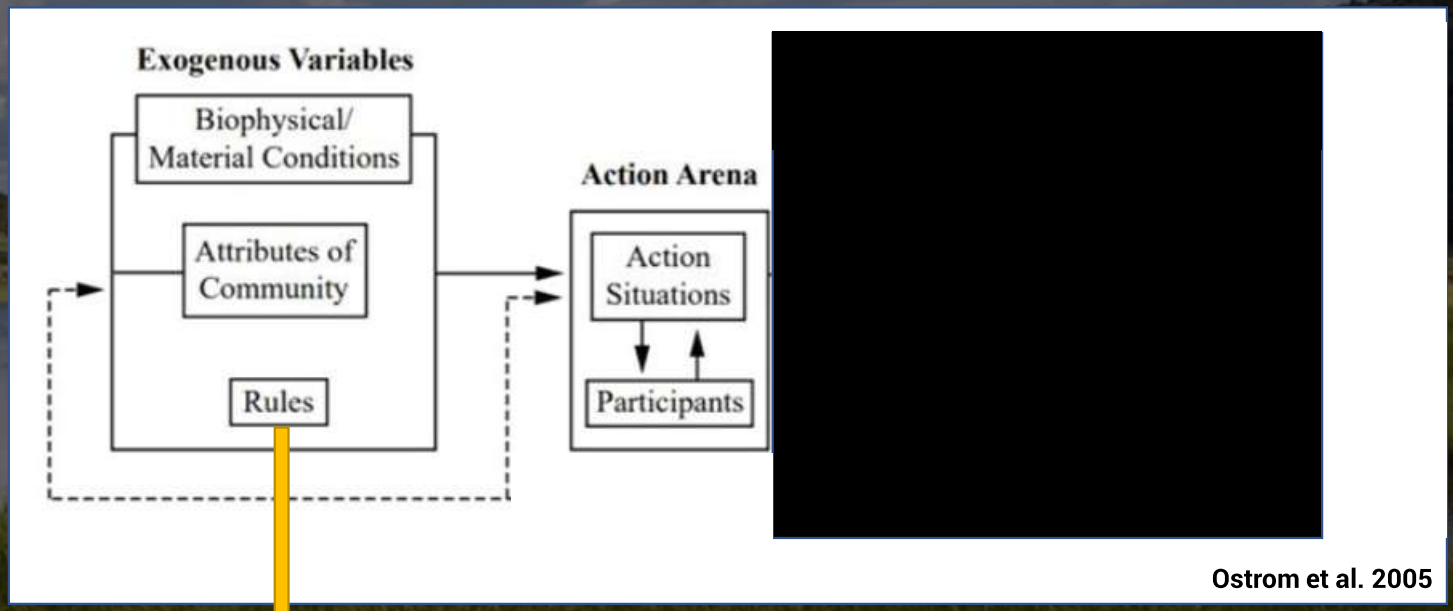
Institutional Analysis and Development Framework



Ostrom et al. 2005

- Position rules
- Boundary rules
- Authority rules
- Aggregation rules
- Scope rules
- Information rules
- Payoff rules

Institutional Analysis and Development Framework



Ostrom et al. 2005

Types of rules:

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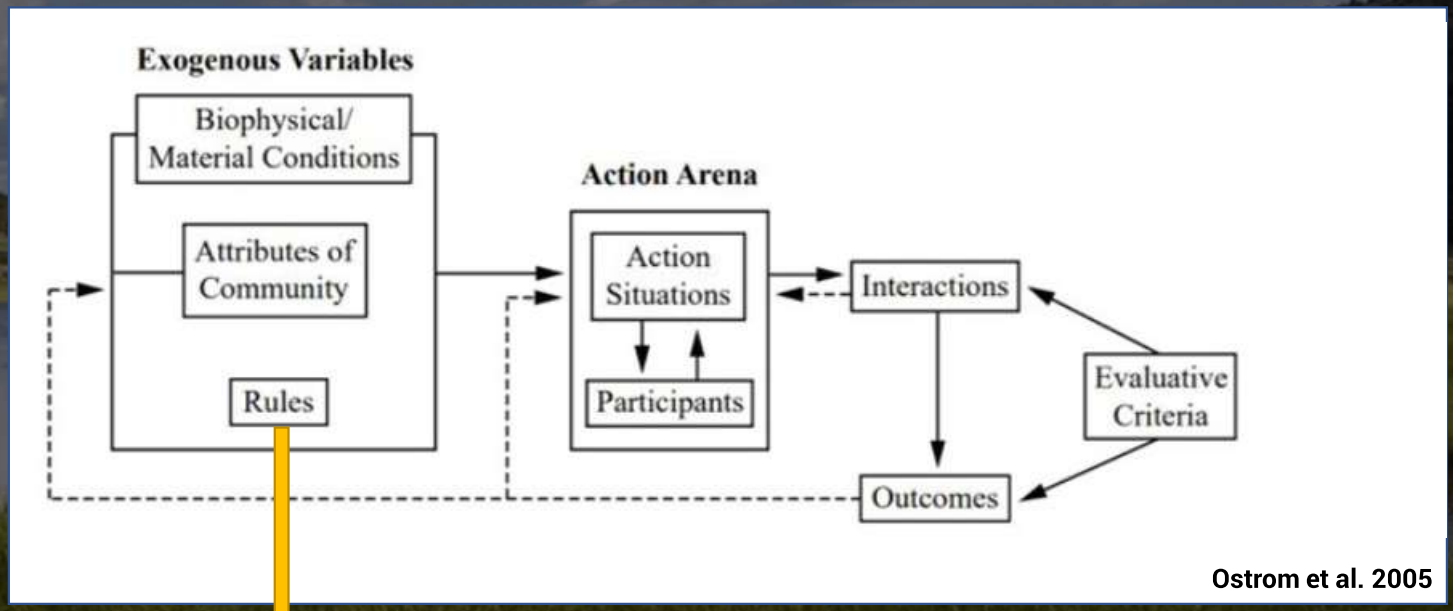
Institutional Analysis and Development Framework



Ostrom et al. 2005

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Content analysis of archival data, policy materials, newspaper articles + editorials

Interviews (n=24)

Observation of public meetings (n=63)

EST. 1915 KLAMATH DRAINAGE DISTRICT

EST. 1917 KLAMATH IRRIGATION DISTRICT

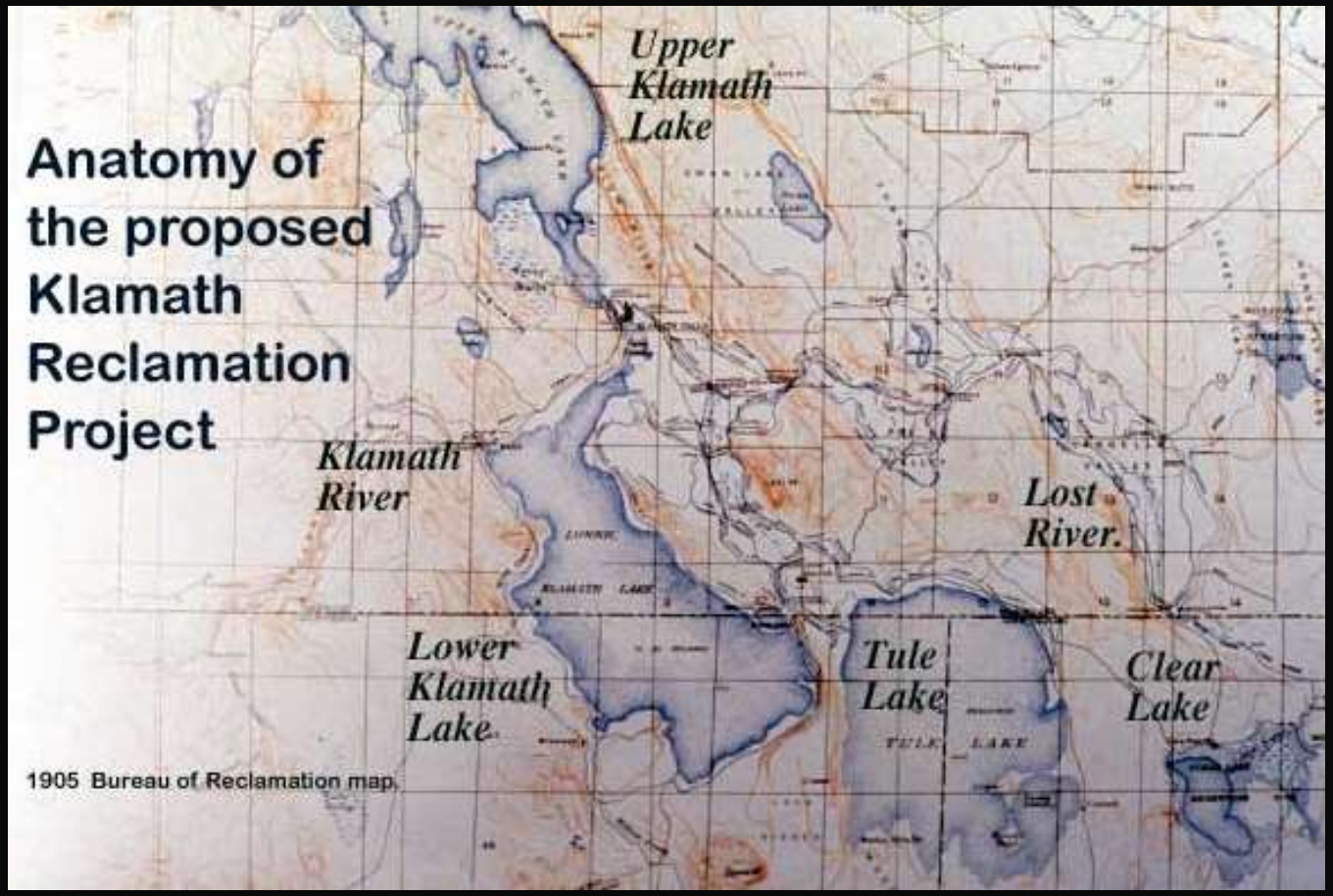
PEACE AND FRIENDSHIP

THE OREGON HISTORICAL SOCIETY FOUNDED 1898

TID

KWUA Klamath Water Users ASSOCIATION

Biophysical/Material Conditions

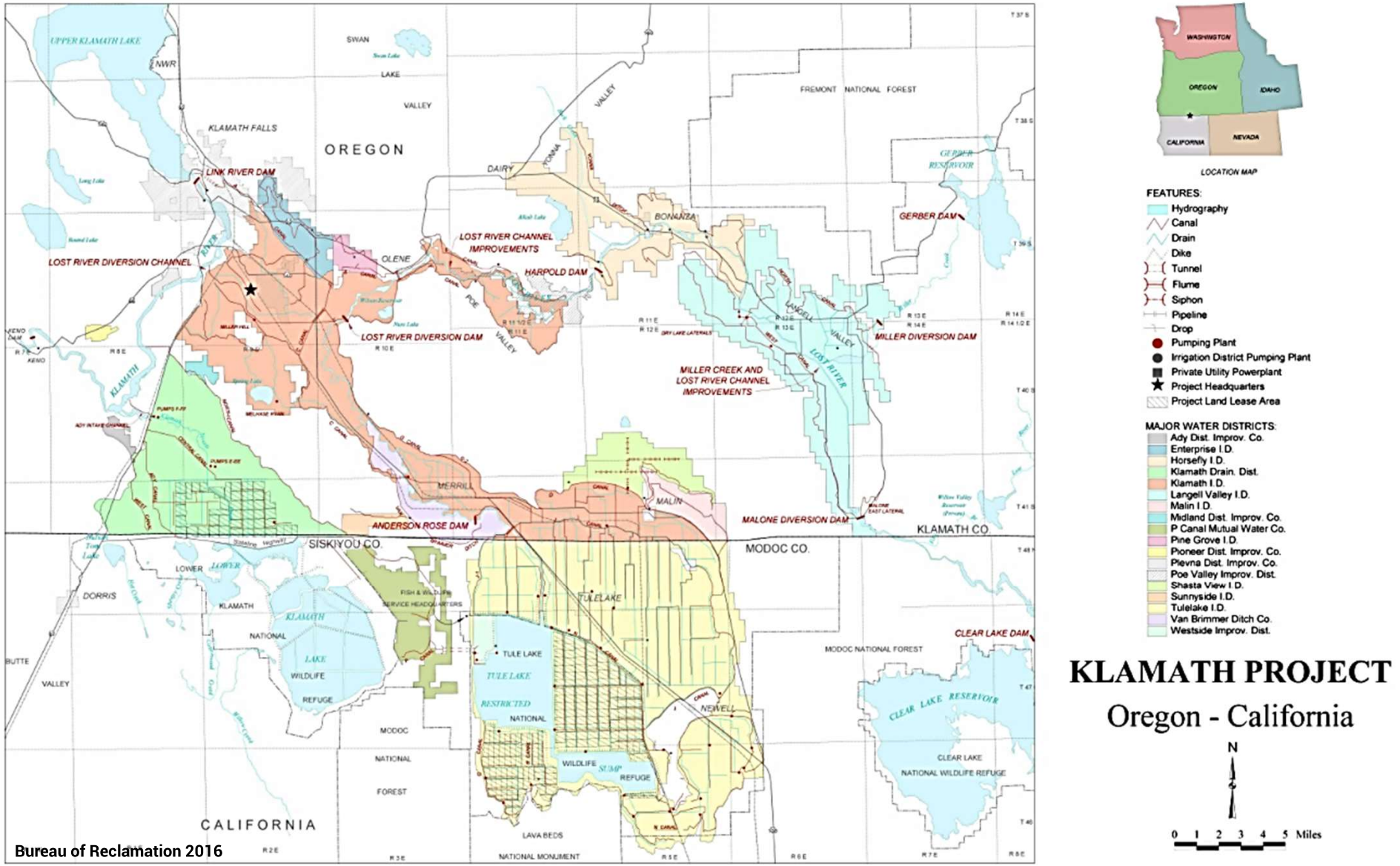

Anatomy of the proposed Klamath Reclamation Project
Upper Klamath Lake
Klamath River
Lost River.
Lower Klamath Lake
Tule Lake
Clear Lake
1905 Bureau of Reclamation map.

"Klamath Project "A" Canal & Tunnel, October 22, 1907"
Bureau of Reclamation

"Construction on the nine mile long Main canal, Sheepy Ridge, Tule Lake"
Bureau of Reclamation

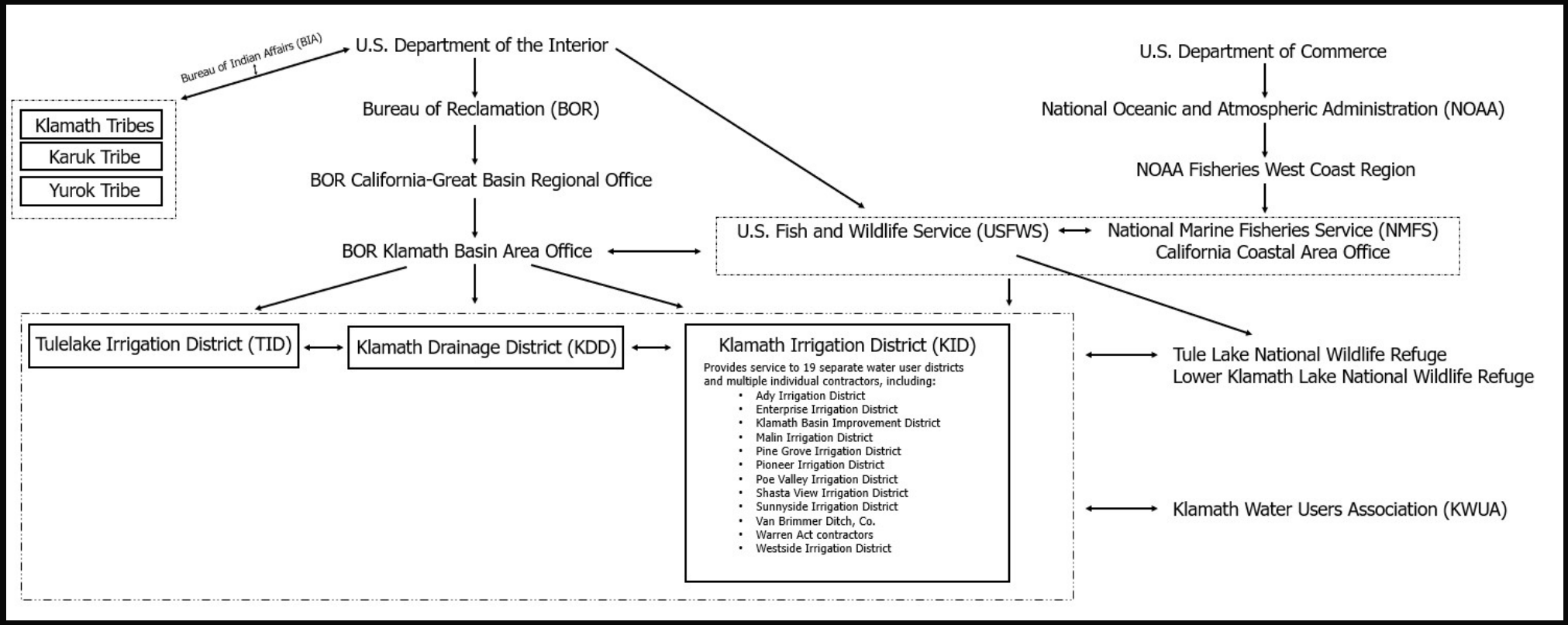
"100 Bulgarians joined the work force in August 1909, Clear Lake Dam"
Bureau of Reclamation, Oregon History Project

"Laborers on the Klamath Project, c. 1938"
Bureau of Reclamation, Oregon History Project



Bureau of Reclamation 2016

Klamath Project Water Governance Structure



Action Area:

The Klamath Project's 2022 Water Year

Bureau of Reclamation 2016

Preparation for limited (or even zero allocation) was ongoing when I began fieldwork in September 2021

"It seems like everything has been chomped up to a series of ad-hoc decisions… not sure what the process is and what information is being used" (Observation 003).

"Does it look like we'll get water next year? If no, what is your plan to reimburse us?" (Observation 008).

"Right now there's very little probability we will meet the levels required for the suckers" (Observation 011).

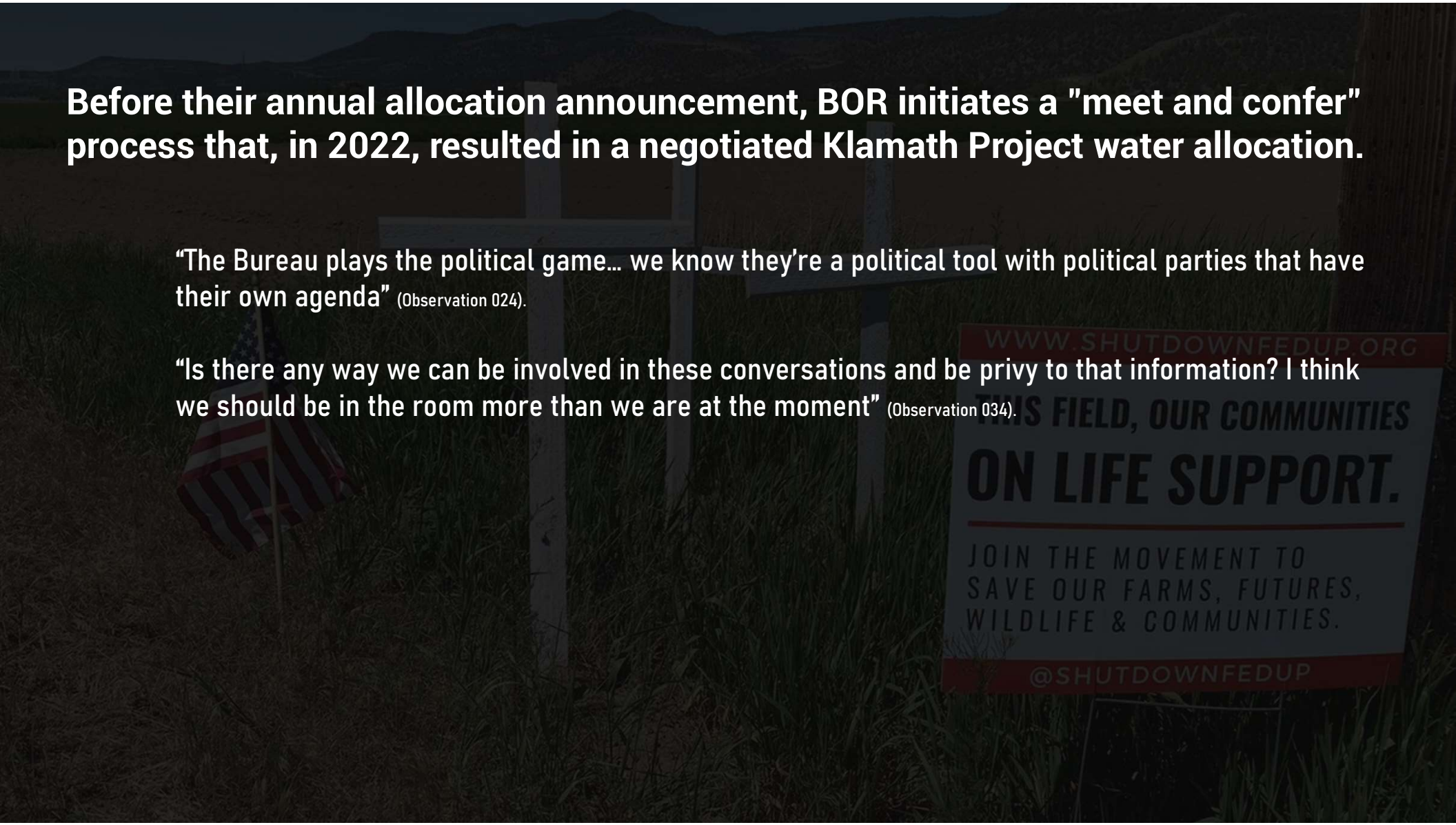
"We're in real trouble for 2022; doesn't look like the lake's gonna fill. If you wanna irrigate in April and May, it doesn't look like it's gonna happen. I'd be thinking about what you wanna do next summer besides farming… That's where we're at. It's pretty dire" (Observation 011).

"In short, Reclamation's not gonna show up and solve this problem… The Feds are not gonna solve this for you" (Observation 011).

Before their annual allocation announcement, BOR initiates a "meet and confer" process that, in 2022, resulted in a negotiated Klamath Project water allocation.

“The Bureau plays the political game… we know they’re a political tool with political parties that have their own agenda” (Observation 024).

“Is there any way we can be involved in these conversations and be privy to that information? I think we should be in the room more than we are at the moment” (Observation 034).



Allocation announcement: 11 April 2022

Reclamation opens Klamath Project irrigation season with limited water supply allocation amid extreme drought

Announces $20 million in immediate aid through the Klamath Project Drought Response Agency and $5 million in Tribal technical assistance

Media Contact: Mary Lee Knecht 916-978-5100 mknecht@usbr.gov

For Release: Apr 11, 2022

Klamath Project

KLAMATH FALLS, Ore. – The Bureau of Reclamation announced today, the initial Klamath Project water supply allocation in the third consecutive year of drought conditions. Coupled with the allocation announcement is the release of the Klamath Project 2022 Temporary Operating Procedures, which will guide operations for the 2022 water year.

In consideration of the Natural Resources Conservation Service's April 1 inflow forecast, last water year's observed inflows, and the provisions of the 2022 Temporary Operating Procedures, Reclamation is making an initial Project allocation of approximately 50,000 acre-feet to allow for limited irrigation beginning on April 15th and subject to meeting an end of water year Upper Klamath Lake elevation of no less than 4,138.15 feet, with the objective of no less than 4,139.2 feet through July 15th. Unauthorized diversions of water will result in reductions to the Klamath Project water allocation, and appropriate legal action will be pursued.

Reclamation also announced a total of $20 million in immediate aid to the Klamath Project through the Klamath Project Drought Response Agency for the 2022 irrigation season. An additional $5 million in technical assistance is being made available to Klamath Basin Tribes for Tribally led projects.

Irrigation Season Cut-off: 19 August 2022

Feds cut water off to Klamath farmers for remainder of season

Oregon Public Broadcasting

By Erik Neumann (Jefferson Public Radio)
Aug. 19, 2022 9:15 a.m.

Federal officials announced on Thursday that water will be cut off to farmers in the Klamath Basin for the rest of the irrigation season.

The announcement from the federal Bureau of Reclamation was addressed to three irrigation districts in the farming communities along the Oregon-California border. It marks the end of available water that can be diverted from Upper Klamath Lake, the large body of water that feeds farms and several National Wildlife Refuges along the state line.

Interactions between BOR and KID

- Half-dozen formal letters exchanged between organizations
- A series of emergency KID board meetings

Bureau of Reclamation arguments/actions

- 100% based on Endangered Species Act and Tribal trust obligations
- Threatened the eradication of drought relief funding if the district did not comply with the cut-off order
  - Concern from KID that the district has no contractual relation to drought payments

KID arguments/actions

- Contractual obligations are to the 1954 operation contract with the BOR
- Citing that the allocation is “not based on science”
- Begging to go to court

Outcomes (in progress)

- KID complied with the BOR's order for total shut down of the Klamath Project

- Rumblings that KID patrons will sue the KID Board of Directors for violating their water delivery obligations

Klamath Irrigation District complies with water shutoff after feds threaten funding

By GEORGE PLAVEN Capital Press Aug 23, 2022

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