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FOR IMMEDIATE RELEASE

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**RECLAMATION FILES SURPRISE COMPLAINT AGAINST KDD
District disappointed in Government's conduct**

Klamath Falls, OR – The day after our country celebrated its independence, and just three days after water in KDD's North Canal was used to fight a wildfire in a nearby Midland neighborhood, the United States Department of Justice, on behalf of the Bureau of Reclamation, filed a complaint against the district alleging there is no "Project Supply" available for the district and further alleging the district is making "unauthorized diversions" in breach of its contract."

Scott White, General Manager for the district notes that this is not a contract issue at all and points to the district's existing water rights of record. "The Bureau has literally acknowledged and affirmed KDD's water rights in the past and encouraged us to exercise them when there is no Project Supply available," said White. "It's incredible that they claim we are in breach of contract for doing the very thing they asked of us for years."

KDD owns all the district's delivery infrastructure except for the Ady Canal headgates which the Bureau says are owned by the United States. The district and its landowners are privileged with three notable water rights; a 1905 Project Claim, an 1883 claim, and a 1977 supplemental permit to be used in times of shortage.

The district is also bound by contract to deliver water to water users outside of the district, but the complaint makes no mention of the district currently facilitating the conveyance of water to the refuge under state law. "The Bureau is out of its lane in picking and choosing which law to recognize," states Bill Walker, President of the district. "The Bureau supports state law when it means getting water to their land but does not when it means getting water to family farmers and ranchers. This isn't law, this is politics."

In the wake of another dry water year for Project districts, the Bureau requested that the districts come up with a plan to distribute the delivery of water to the Project based on targeted lake elevations. The districts, including KDD, spent countless hours and resources generating the plan in good faith. The plan included a distribution of water for the districts, including KDD. However, with an executed bait and switch, the Bureau then neglected to respond and went forward issuing their own plan and letters to districts counter to the districts' plan.



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The Bureau also denied KDD landowners eligibility for DRA programs that could have made 12,000 to 16,000 acre-feet available for other water uses by partially compensating farmers for not irrigating. “The Bureau continues to target our small district for their failure at managing the Project,” expressed White with disappointment. “We do so much good for the refuge, the fish, recirculation of our water, and preservation of our lands and wildlife, but none of that matters I guess.”

Walker notes the amount of effort the district has made to work with and understand the Bureau. “We have been holding out the olive branch to Reclamation for so long and all we have gotten for it is a lawsuit. It’s hard to farm in the Klamath Basin when the Bureau changes its mind like we all change our clothes. We are very disappointed in the United States right now.”

The Department of Justice filed their complaint in the United States District Court, District of Oregon, in Medford. There is no set date for trial.

Klamath Drainage District (KDD) is a 27,000-acre district located in southern Oregon bordering the Lower Klamath National Wildlife Refuge in California. KDD proactively works to improve distribution and delivery of its scarce water resources including recycling over 35,000 acre-feet annually through its recently installed recirculation pumping plants. Of this recycled water, most is reused to grow crops, but a percentage is used for growers outside of the district and used for habitat improvement and other refuge purposes. KDD is home to one of the largest concentrations of bald eagles in the lower 48 states and prides itself on the tremendous wildlife viewing opportunities it provides.

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