



The Klamath Tribes

Ms. Danette Watson
District 17 Watermaster
Klamath County Government Center
305 Main Street
Klamath Falls, Oregon, 97601

April 18, 2019

CALL FOR ENFORCEMENT AND REGULATION

Dear Ms. Watson:

The Klamath Tribes hereby place a call, with the concurrence of the United States Bureau of Indian Affairs (BIA), for enforcement of the determined Tribal water right claims for the Klamath Marsh and stream reaches specified below in accordance with the Klamath Basin Adjudication's Amended and Corrected Findings of Fact and Order of Determination. The Tribes and the BIA believe that various Tribal water right claims for in-stream flows and elevation levels will require enforcement based on available gage and collected data, on our understanding of the system, and on the potential for activities that divert surface water for various purposes. To the extent allowable by law consistent with enforcement against other water uses, this call for regulation is not intended to impact domestic water uses.

During the period from April, 2019 through October, 2019, the Klamath Tribes and BIA are requesting monitoring and regulation of streamflow in the stream reaches presented in Tables 1-7. Monitoring and regulation of water levels is also requested in the Klamath Marsh as presented in Table 8. Regulation of flows within the Riparian Habitat High Flow levels presented in Table 9 & 10 is also requested. All of the Tribal water right claim calls are based on a time-immemorial priority date. The

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Klamath Tribes will coordinate closely with your office to inform you about claims of particular concern or priority for enforcement purposes.

Thank you for your prompt attention to this matter. If you require more information, please contact our Water Rights Specialist, Brad Parrish (541-783-2219). The contact person for the Bureau of Indian Affairs is Deputy Regional Director for Trust Services, Bodie Shaw (503-872-2858).

Sincerely,



Donald C. Gentry
Chairman, Klamath Tribes

cc: Klamath Tribal Council
George Lopez, General Manager, Klamath Tribes
Will Hatcher, Natural Resources Director, Klamath Tribes
Stan Swerdloff, Aquatics Supervisor, Klamath Tribes
Brad Parrish, Water Rights Specialist, Klamath Tribes
Bodie Shaw, Deputy Regional Director for Trust Services, BIA Northwest Region Office
Michael Dammarell, Water Rights Specialist, BIA Northwest Region Office
Michael Schoessler, Attorney, ORS, PNWR

Table 1. Stream reaches to be monitored and regulated in April to the largest Tribal water right claim of either the physical habitat or the riparian habitat base flow.

Reach (claim number)	Reach description	<i>April</i>
		Maximum of physical habitat or riparian habitat base flow (cfs)
625	Williamson River blw hwy 97	1440
626	Williamson River blw Sprague R	1430
627	Williamson River blw Spring Ck	578
628	Williamson River blw Knapps Dam	376
629	Williamson River canyon	357
631	Upper Williamson River blw Deep Ck	92
632	Upper Williamson River blw Wickiup Spring	59
633	Upper Williamson River blw Head of River	35
634	Larkin Ck	13
635	Sand Ck	23
636	Scott Ck	9.3
637	Jackson Ck	14
638	Irving Ck	2
639	Deep Ck	7.1
640	Spring Ck	220
641	Sprague River blw Chiloquin Dam	851
642	Sprague River Chiloquin Canyon	851
643	Sprague River blw S'Ocholis Canyon	838
644	Sprague River blw Trout Ck	752
645	Sprague River blw Sycan River	726
646	Sprague River blw Beatty Gap	381
647	Sprague River blw confluence of North and South forks	366
648	Trout Ck	8.3
649	Whiskey Ck	21
652	Lower Fivemile Ck	38
653	Upper Fivemile Ck	28
658	Sycan River blw Coyote Bucket	342
659	Sycan River blw Teddy Powers	251
660	Sycan River blw Torrent Springs	248
661	Sycan River abv Torrent Springs	230
662	Sycan River blw Sycan Marsh	203
663	Sycan River within Sycan Marsh	100
665	Long Ck	44
666	Calahan Ck	7.1
667	Coyote Ck	6.3
668	Wood River	286
669	Crooked Ck	70
670	Fort Ck	75

Table 2. Stream reaches to be monitored and regulated in May to the largest Tribal water right of either the physical habitat or the riparian habitat base flow.

Reach (claim number)	Reach description	May
		Maximum of physical habitat or riparian habitat base flow (cfs)
625	Williamson River blw hwy 97	1300
626	Williamson River blw Sprague R	1300
627	Williamson River blw Spring Ck	442
628	Williamson River blw Knapps Dam	240
629	Williamson River canyon	223
631	Upper Williamson River blw Deep Ck	108
632	Upper Williamson River blw Wickiup Spring	58
633	Upper Williamson River blw Head of River	33
634	Larkin Ck	13
635	Sand Ck	39
636	Scott Ck	18
637	Jackson Ck	22
638	Irving Ck	2
639	Deep Ck	10
640	Spring Ck	220
641	Sprague River blw Chiloquin Dam	871
642	Sprague River Chiloquin Canyon	871
643	Sprague River blw S'Ocholis Canyon	891
644	Sprague River blw Trout Ck	832
645	Sprague River blw Sycan River	818
646	Sprague River blw Beatty Gap	455
647	Sprague River blw confluence of North and South forks	444
648	Trout Ck	6.4
649	Whiskey Ck	22
652	Lower Fivemile Ck	34
653	Upper Fivemile Ck	21
658	Sycan River blw Coyote Bucket	342
659	Sycan River blw Teddy Powers	277
660	Sycan River blw Torrent Springs	273
661	Sycan River abv Torrent Springs	259
662	Sycan River blw Sycan Marsh	236
663	Sycan River within Sycan Marsh	127
665	Long Ck	56
666	Calahan Ck	11
667	Coyote Ck	4.1
668	Wood River	323
669	Crooked Ck	70
670	Fort Ck	75

Table 3. Stream reaches to be monitored and regulated in June to the largest Tribal water right claim of either the physical habitat or the riparian habitat base flow.

Reach (claim number)	Reach description	June
		Maximum of physical habitat or riparian habitat base flow (cfs)
625	Williamson River blw hwy 97	873
626	Williamson River blw Sprague R	805
627	Williamson River blw Spring Ck	420
628	Williamson River blw Knapps Dam	133
629	Williamson River canyon	117
631	Upper Williamson River blw Deep Ck	90
632	Upper Williamson River blw Wickiup Spring	52
633	Upper Williamson River blw Head of River	31
634	Larkin Ck	13
635	Sand Ck	42
636	Scott Ck	25
637	Jackson Ck	15
638	Irving Ck	2
639	Deep Ck	7.9
640	Spring Ck	220
641	Sprague River blw Chiloquin Dam	492
642	Sprague River Chiloquin Canyon	492
643	Sprague River blw S'Ocholis Canyon	487
644	Sprague River blw Trout Ck	426
645	Sprague River blw Sycan River	450
646	Sprague River blw Beatty Gap	255
647	Sprague River blw confluence of North and South forks	249
648	Trout Ck	5.5
649	Whiskey Ck	12
652	Lower Fivemile Ck	27
653	Upper Fivemile Ck	14
658	Sycan River blw Coyote Bucket	150
659	Sycan River blw Teddy Powers	132
660	Sycan River blw Torrent Springs	131
661	Sycan River abv Torrent Springs	78
662	Sycan River blw Sycan Marsh	75
663	Sycan River within Sycan Marsh	35
665	Long Ck	32
666	Calahan Ck	4.4
667	Coyote Ck	4.2
668	Wood River	352
669	Crooked Ck	70
670	Fort Ck	75

Table 4. Stream reaches to be monitored and regulated in July to the largest Tribal water right claim of either the physical habitat or the riparian habitat base flow.

Reach (claim number)	Reach description	July
		Maximum of physical habitat or riparian habitat base flow (cfs)
625	Williamson River blw hwy 97	650
626	Williamson River blw Sprague R	650
627	Williamson River blw Spring Ck	357
628	Williamson River blw Knapps Dam	87
629	Williamson River canyon	60
631	Upper Williamson River blw Deep Ck	74
632	Upper Williamson River blw Wickiup Spring	52
633	Upper Williamson River blw Head of River	24
634	Larkin Ck	11
635	Sand Ck	34
636	Scott Ck	17
637	Jackson Ck	6.4
638	Irving Ck	2
639	Deep Ck	2.2
640	Spring Ck	220
641	Sprague River blw Chiloquin Dam	234
642	Sprague River Chiloquin Canyon	234
643	Sprague River blw S'Ocholis Canyon	227
644	Sprague River blw Trout Ck	195
645	Sprague River blw Sycan River	291
646	Sprague River blw Beatty Gap	125
647	Sprague River blw confluence of North and South forks	118
648	Trout Ck	3.1
649	Whiskey Ck	5
652	Lower Fivemile Ck	22
653	Upper Fivemile Ck	14
658	Sycan River blw Coyote Bucket	45
659	Sycan River blw Teddy Powers	33
660	Sycan River blw Torrent Springs	32
661	Sycan River abv Torrent Springs	22
662	Sycan River blw Sycan Marsh	21
663	Sycan River within Sycan Marsh	20
665	Long Ck	14
666	Calahan Ck	2.5
667	Coyote Ck	1.5
668	Wood River	312
669	Crooked Ck	70
670	Fort Ck	75

Table 5. Stream reaches to be monitored and regulated in August to the largest Tribal water right claim of either the physical habitat or the riparian habitat base flow.

Reach (claim number)	Reach description	August
		Maximum of physical habitat or riparian habitat base flow (cfs)
625	Williamson River blw hwy 97	620
626	Williamson River blw Sprague R	620
627	Williamson River blw Spring Ck	357
628	Williamson River blw Knapps Dam	46
629	Williamson River canyon	43
631	Upper Williamson River blw Deep Ck	64
632	Upper Williamson River blw Wickiup Spring	52
633	Upper Williamson River blw Head of River	22
634	Larkin Ck	10
635	Sand Ck	30
636	Scott Ck	14
637	Jackson Ck	4.7
638	Irving Ck	1.7
639	Deep Ck	1.4
640	Spring Ck	220
641	Sprague River blw Chiloquin Dam	174
642	Sprague River Chiloquin Canyon	174
643	Sprague River blw S'Ocholis Canyon	180
644	Sprague River blw Trout Ck	149
645	Sprague River blw Sycan River	222
646	Sprague River blw Beatty Gap	125
647	Sprague River blw confluence of North and South forks	85
648	Trout Ck	2.7
649	Whiskey Ck	5
652	Lower Fivemile Ck	19
653	Upper Fivemile Ck	14
658	Sycan River blw Coyote Bucket	30
659	Sycan River blw Teddy Powers	20
660	Sycan River blw Torrent Springs	20
661	Sycan River abv Torrent Springs	10
662	Sycan River blw Sycan Marsh	10
663	Sycan River within Sycan Marsh	10
665	Long Ck	13
666	Calahan Ck	1.3
667	Coyote Ck	0.4
668	Wood River	277
669	Crooked Ck	70
670	Fort Ck	75

Table 6. Stream reaches to be monitored and regulated in September to the largest Tribal water right claim of either the physical habitat or the riparian habitat base flow.

Reach (claim number)	Reach description	September
		Maximum of physical habitat or riparian habitat base flow (cfs)
625	Williamson River blw hwy 97	650
626	Williamson River blw Sprague R	650
627	Williamson River blw Spring Ck	250
628	Williamson River blw Knapps Dam	45
629	Williamson River canyon	27
631	Upper Williamson River blw Deep Ck	64
632	Upper Williamson River blw Wickiup Spring	52
633	Upper Williamson River blw Head of River	23
634	Larkin Ck	11
635	Sand Ck	28
636	Scott Ck	12
637	Jackson Ck	4.9
638	Irving Ck	1.7
639	Deep Ck	1.5
640	Spring Ck	200
641	Sprague River blw Chiloquin Dam	191
642	Sprague River Chiloquin Canyon	191
643	Sprague River blw S'Ocholis Canyon	194
644	Sprague River blw Trout Ck	161
645	Sprague River blw Sycan River	241
646	Sprague River blw Beatty Gap	125
647	Sprague River blw confluence of North and South forks	95
648	Trout Ck	2.7
649	Whiskey Ck	4
652	Lower Fivemile Ck	20
653	Upper Fivemile Ck	14
658	Sycan River blw Coyote Bucket	25
659	Sycan River blw Teddy Powers	21
660	Sycan River blw Torrent Springs	16
661	Sycan River abv Torrent Springs	13
662	Sycan River blw Sycan Marsh	8
663	Sycan River within Sycan Marsh	13
665	Long Ck	13
666	Calahan Ck	1.9
667	Coyote Ck	0.9
668	Wood River	254
669	Crooked Ck	70
670	Fort Ck	75

Table 7. Stream reaches to be monitored and regulated in October to the largest Tribal water right claim of either the physical habitat or the riparian habitat base flow.

Reach (claim number)	Reach description	October
		Maximum of physical habitat or riparian habitat base flow (cfs)
625	Williamson River blw hwy 97	650
626	Williamson River blw Sprague R	650
627	Williamson River blw Spring Ck	250
628	Williamson River blw Knapps Dam	60
629	Williamson River canyon	48
631	Upper Williamson River blw Deep Ck	66
632	Upper Williamson River blw Wickiup Spring	52
633	Upper Williamson River blw Head of River	24
634	Larkin Ck	9
635	Sand Ck	22
636	Scott Ck	9.3
637	Jackson Ck	5.5
638	Irving Ck	1.8
639	Deep Ck	1.8
640	Spring Ck	220
641	Sprague River blw Chiloquin Dam	231
642	Sprague River Chiloquin Canyon	231
643	Sprague River blw S'Ocholis Canyon	225
644	Sprague River blw Trout Ck	185
645	Sprague River blw Sycan River	275
646	Sprague River blw Beatty Gap	125
647	Sprague River blw confluence of North and South forks	110
648	Trout Ck	2
649	Whiskey Ck	3
652	Lower Fivemile Ck	22
653	Upper Fivemile Ck	14
658	Sycan River blw Coyote Bucket	28
659	Sycan River blw Teddy Powers	25
660	Sycan River blw Torrent Springs	20
661	Sycan River abv Torrent Springs	18
662	Sycan River blw Sycan Marsh	11
663	Sycan River within Sycan Marsh	13
665	Long Ck	13
666	Calahan Ck	2
667	Coyote Ck	1.1
668	Wood River	255
669	Crooked Ck	70
670	Fort Ck	75

Table 8. Water levels to be monitored and regulated during the water year 2019 in the Klamath Marsh (Claim 623)

Month	Reach description	Claim number	Minimum water level (ft)
April	Klamath Marsh	623	4514.87
May	Klamath Marsh	623	4514.32
June	Klamath Marsh	623	4514.04
July	Klamath Marsh	623	4513.51
August	Klamath Marsh	623	4513.35
September	Klamath Marsh	623	4513.34
October	Klamath Marsh	623	4513.46

Table 9. Stream reaches to be monitored and regulated to meet Riparian Habitat High (Flood) Trigger Flows and Cap Flows from April through May.

Reach (claim number)	Reach description	April-May
		Riparian Habitat High (Flood) Flow Trigger Flow-Cap Flow (CFS)
625	Williamson River blw hwy 97	2180-4190
626	Williamson River blw Sprague R	2180-4190
627	Williamson River blw Spring Ck	787-1150
628	Williamson River blw Knapps Dam	494-835
631	Upper Williamson River blw Deep Ck	150-150
635	Sand Ck	187-310
636	Scott Ck	91-110
637	Jackson Ck	96-160
641	Sprague River blw Chiloquin Dam	1480-3230
642	Sprague River Chiloquin Canyon	1470-3220
643	Sprague River blw S'Ocholis Canyon	1460-3000
644	Sprague River blw Trout Ck	1370-2980
645	Sprague River blw Sycan River	1370-2800
646	Sprague River blw Beatty Gap	958-2010
647	Sprague River blw confluence of North and South forks	912-1600
648	Trout Ck	23-31
652	Lower Fivemile Ck	209-220
653	Upper Fivemile Ck	137-170
658	Sycan River blw Coyote Bucket	1130-1670
659	Sycan River blw Teddy Powers	1050-1540
660	Sycan River blw Torrent Springs	732-1550
661	Sycan River abv Torrent Springs	700-1480
662	Sycan River blw Sycan Marsh	605-1280
663	Sycan River within Sycan Marsh	589-1050
665	Long Ck	136-193
666	Calahan Ck	37-63
667	Coyote Ck	72-105

Table 10. Stream reaches to be monitored and regulated to meet Riparian Habitat High (Flood) Trigger Flows and Cap Flows for the month of June.

Reach (claim number)	Reach description	<i>June</i>
		Riparian Habitat High (Flood) Flow Trigger Flow-Cap Flow (CFS)
635	Sand Ck	187-310
636	Scott Ck	91-110
637	Jackson Ck	96-160
666	Calahan Ck	37-63