



# WATERWORKS NEWSLETTER

## IN THIS EDITION

MAJOR ENLARGEMENT OF UPPER KLAMATH LAKE APPROVED

KWUA RECEIVES FORMIDABLE SUPPORT IN ESA LITIGATION

KWUA REMAINS ACTIVE ON SPEAKING CIRCUIT

SUCCESSFUL FALL HARVEST TOUR FEATURES GENERATIONAL FARMS

SIMMONS MEETS WITH GOVERNOR KOTEK

“SWAMP KING” ABEL ADY

WHAT HAS THE BOARD BEEN DOING

UPCOMING MEETINGS

BRIAN GAILEY JOINS KWUA LEADERSHIP TEAM

## AFTER ACTION REVIEW

On November 14, 2023, in partnership with member districts and the Klamath Project Drought Response Agency, KWUA will host an “After-Action Review” of the 2023 Klamath Project irrigation season. The meeting will be held inside the gymnasium at the Merrill Civic Center (365 Front St., Merrill) at 1:00 p.m. This meeting is open to the public.

Please come to receive information and provide your input to irrigation managers to help improve district operations.



## MAJOR ENLARGEMENT OF UPPER KLAMATH LAKE APPROVED

The United States Fish and Wildlife Service (USFWS) has approved a project that will increase the size of Upper Klamath Lake (UKL) by nearly 13,500 acres.

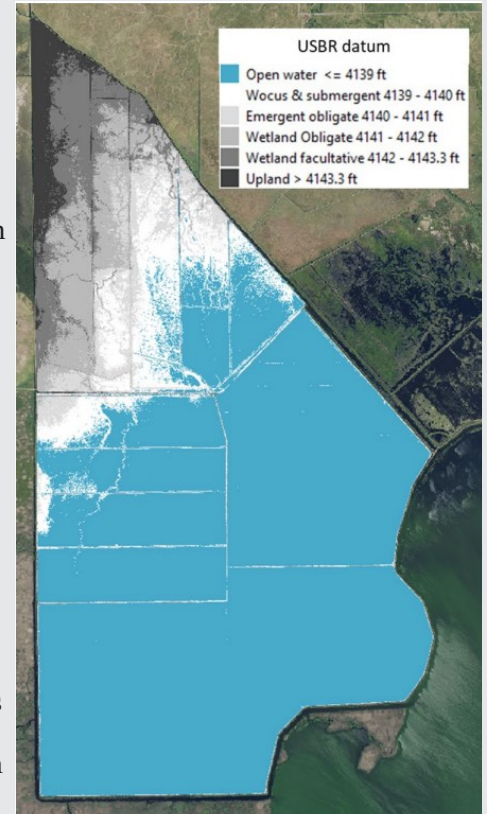
The goals for the project are to improve water quality and increase habitat for endangered suckers and other species. Irrigation water users in the Klamath Project support these objectives but are concerned that the project was adopted, and is going forward, without a rigorous analysis of the effects of the project on water availability for other uses including irrigation and the national wildlife refuges served by the Klamath Project.

### The Barnes/Agency Project

The project – “Wetland Restoration on Upper Klamath National Wildlife Refuge Barnes Unit, Agency Lake Units, and Adjacent Lands” (Barnes/Agency Project) – is to take place on lands at the northern end of the Agency Lake portion of the UKL on lands owned or controlled by USFWS. In the twentieth century, the land was separated from the lake by levees to provide irrigated pasture. The U.S. Bureau of Reclamation (Reclamation) purchased the Barnes and Agency Lake Ranches in the early 2000’s, but subsequently transferred administrative control to USFWS, which added the area to Upper Klamath National Wildlife Refuge.

The Barnes/Agency Project will involve partial breaches of some levees, resulting in the UKL expanding to cover an additional 13,443 acres beyond its current area. A different levee will be reinforced, to isolate, outside of the lake, a new wetland designed to improve water quality by removing nutrients from West Canal, which will also be modified.

USFWS formally approved the Barnes/Agency Project on October 4, in a Finding of No Significant Impact (FONSI). The FONSI relates to requirements of the National Environmental Policy Act (NEPA). NEPA requires that federal agencies prepare an environmental impact statement (EIS) prior to consideration of projects that could have significant effects on the human environment. NEPA also provides that agencies can prepare a more limited, environmental assessment (EA) in lieu of an EIS, and if the EA shows that no significant impacts will occur, the agency can adopt a FONSI in lieu of preparing a time- and resource-consuming EIS.



Expected spatial extent of wetland vegetation types delineated for Alternative 3 in Stantec (2021). Note that the vegetation distribution mapped here differs from Figure 7 in Stantec (2021).

The Barnes/Agency Project has been under study for a number of years. USFWS issued a draft EA in September of 2021 and invited public comment. Roughly two years later, it issued the final EA and FONSI, which contemplate a project to be completed in three phases over the course of approximately one year, with monitoring and adaptive management thereafter.

## Project Implications

Credible parties believe that the project will have important benefits for water quality, habitat for endangered suckers and other aquatic species, and bird populations. Irrigation water users in the Klamath Project are supportive of all those things.

On the other hand, the restoration project has been approved without a meaningful assessment of what it will mean for water supply for agricultural communities and Lower Klamath and Tule Lake National Wildlife Refuges. The purpose of NEPA is to require disclosure of these impacts, alternatives to avoid the impacts, and mitigation measures that would reduce the impacts.

In this case, the Barnes/Agency Project will increase the capacity of the UKL by approximately 70,000 acre-feet. The “first fill” of this capacity will occur with water that would otherwise go somewhere else. Over the longer term, increased evaporation from the enlarged surface area of the UKL, Endangered Species Act-based requirements to maintain Upper Klamath Lake at given levels, and other issues regarding the future operation of Upper Klamath Lake via Link River Dam, give rise to large questions about what the Barnes/Agency Project will mean for Klamath Project irrigators, the wildlife refuges served by Klamath Project infrastructure, and releases to the Klamath River for flows for salmon species.

The FONSI commits USFWS to attempt to evaluate these impacts thoroughly, and to avoid or minimize negative impacts, but these commits are stated in aspirational terms that are not binding.

The lack of disclosure of impacts before consideration of approval of the Barnes/Agency Project results in increased political tensions and skepticism. When it comes to use of water for irrigation, federal agencies micromanage every molecule. Irrigators do not believe that a project of comparable magnitude to the Barnes/Agency Project could possibly be approved based on an incomplete EA and FONSI if the project under consideration were for purposes of addressing the interests of agricultural communities.

Klamath Water Users Association’s (KWUA) board of directors will discuss the Barnes/Agency Project in detail at its November 18, 2023, meeting.

## KWUA Receives Formidable Support in ESA Litigation

In the last few years, water users in the Klamath Project have experienced a litigation tsunami. On October 23, KWUA received a welcome lifeline from local governments and major agricultural and water interests from across the West.

Specifically, in litigation currently pending before the U.S. Court of Appeals for the Ninth Circuit, the following parties, represented by the following law firms, joined in filing three amicus curiae briefs in support of KWUA:

- Klamath, Modoc, and Siskiyou Counties, represented by Paul Weiland and Brian Ferrasci-O’Malley from the Irvine, California, and Seattle offices of the Nossaman LLP law firm.
- Oregon Water Resources Congress, National Water Resources Association, Family Farm Alliance, Agribusiness and Water Council of Arizona, Idaho Water Users Association, Oregon Farm Bureau Federation, and Washington State Water Resources Association, represented by David Filippi and Merissa Moeller of Stoel Rives in Portland.
- Association of California Water Agencies and the California Farm Bureau Federation, represented by Meredith Nikkel and Sam Bivens from Downey Brand in Sacramento.

KWUA Board of Directors Vice President Jeff Boyd welcomed the support: “We are extremely grateful to our local representatives and impressive list of organizations that are supporting our position. But even more importantly, their appearance in the case shows just how important the issues are to western irrigated agriculture.”

The issues in the case include whether, or to what extent, the U.S. Bureau of Reclamation (Reclamation) has discretion to prioritize threatened and endangered species over irrigation in the operation of the Klamath Project. A related issue is whether Reclamation may ignore state water law for the purposes of benefitting species listed under the Endangered Species Act (ESA).

Under Section 7 of the ESA, federal agencies must ensure that their discretionary actions not jeopardize the continued existence of ESA-listed species. Where the agency has discretion to act for the benefit of the listed species, it must exercise that discretion in a manner that complies with this obligation. But the ESA is not, itself, a source of discretion to act for the benefit of species.

To a significant degree, these principles have been overlooked or ignored in applying the ESA to the Klamath Project. During 2020 and 2021, Reclamation completed an updated legal and regulatory analysis, culminating in an ESA Re-Assessment that KWUA believes was consistent with current understandings of the ESA. However, Secretary of the Interior Haaland withdrew the Re-Assessment in April of 2021. The current litigation asks the court to evaluate those same issues.

The general issue of discretion also has application in the context of Reclamation’s adherence to state water law. A federal statute

requires Reclamation to comply with state water law, but Reclamation has taken the position that Section 7 of the ESA overrides that obligation. KWUA and KID, as well as the amicus parties, dispute Reclamation's position: there is no source of discretion independent of the ESA to ignore state water law, and the duty to comply with state water law is non-discretionary.

With good cause, KWUA's members are weary of litigation, not to mention its cost. This case should, however, address some of the most fundamental and important legal issues that exist regarding future operations of the Project.

## KWUA Remains Active on Speaking Circuit

KWUA leaders and staff regularly speak to interested groups. The opportunity to educate, promote understanding, correct misperceptions, and build relationships and support is vital to KWUA's mission.

The current period is no exception. Over four weeks, KWUA Executive Director Paul Simmons is making presentations to the following, diverse groups:



Paul Simmons speaking on panel at the

**October 12:** Klamath County Rotary. Presentation on dam removal, including the political, legal, and financial leveraging that led to PacifiCorp to agree to dam removal, as well the implications of dam removal for irrigation interests upstream of the current hydropower dams. In Klamath Falls.

**October 26:** Oregon Water Law Conference. Presentation on current Klamath Basin and Klamath Project legal and policy issues. In Portland.

**November 7:** REAL Oregon Leadership, Class 7. Presentation on Klamath Basin water issues. In Klamath Falls.

**November 8:** Whatcom Family Farmers, Farmers' Rally 2023. Panelist and dinner keynote speaker on water rights adjudication and water settlement processes. In Lynden, Washington.

## ABEL ADY THE "SWAMP KING" PART 1

*By Moss Driscoll*

The Shaw Historical Library recently released the 34<sup>th</sup> volume of its long-running journal covering the history of the "Land of Lakes." The newest edition is titled *Profiles: Men and Women Who Have Made History in the Land of the Lakes*.



The book covers Native Americans with the deepest roots in the region, to early pioneers, settlers, and contemporary citizens. It is a trove of anecdotes about the people who have shaped the Klamath Basin's history. The book can be purchased at the Shaw Historical Library, online (<https://www.oit.edu/shaw>), or at Basin Book Trader.

With respect to the Klamath Project, which today provides water to farms, ranches, and refuges across 230,000 acres and constitutes the major economic driver in the Klamath Basin, arguably, there was no more contentious and publicized individual in its early development than John Abel Ady, known commonly as Abel Ady and who proudly went by the moniker "Swamp King." Below is an excerpt from the piece on Abel Ady in *Profiles: Men and Women Who Have Made History in the Land of the Lakes*:

*Ady's exploits and adventures seem too numerous to be confined to one individual. Even in just his decade in Klamath, his story is full of tragedy, triumph, controversy, and conflict. Ady was overtly self-serving, an unabashed promoter and speculator, a "kicker" and "crank" in common parlance at the time, and undeniably, on certain occasions, an exaggerator if not outright liar. Yet somehow, he left an indelible impression – among friends and enemies alike – as a man of the people, a public servant, and a champion of irrigators everywhere.*

*... It is under these circumstances, penniless and*



## Successful Fall Harvest Tour Features Generational Farms



By Molly O'Brien and Brian Gailey (adapted from October 18 Basin Ag News)

Fall in the Klamath and Tule Lake basins marks the season for harvesting crops, and the Klamath Water Users Association (KWUA) welcomed dozens of

community members to tour some of the most prolific producers in the region.

The 16th annual KWUA Fall Harvest Tour took 75 participants to multi-generational family farms on Thursday, allowing the public to see first-hand the work that goes into farming and harvesting.

Every harvest season since 2007, the nonprofit KWUA has offered this tour to anyone and everyone who is interested, free of charge, thanks to local sponsors.

“It’s a way to show anyone who is interested the importance of farming and local agriculture and the crops we produce,” KWUA executive assistant Chelsea Shearer said.

A presentation prior to the tour was given by KWUA Executive Director Paul Simmons and President Tracy Liskey.

“The water stuff is contentious, it’s difficult, it’s policy-laden,” Simmons said.

Although tensions are often high surrounding the issues of water rights and usage, Simmons said KWUA wanted to show the positives of agriculture in the basins.

“We’re really fortunate here in this project that we have a fantastic congressional delegation,” Simmons said. “We work very well with all of the offices, bipartisan, bistate ... to try to deal with our interests.”

Simmons said the boards of the three neighboring counties — Klamath County in Oregon and Siskiyou and Modoc Counties in California — also work very well together to accomplish common goals in the world of agriculture.

### Cal-Ore Produce

The tour group traveled 30 miles to Staunton Farm’s Cal-Ore Produce, where the Staunton family shared the history of their four-generation operation and the

advancements in technology and processes over the years.

Cal-Ore Produce President Marc Staunton, who is also a co-owner of Staunton Farms and Cal-Ore, showed attendees their specialty packing line.

“We’ve totally gone away from the conventional system of packing potatoes,” Staunton said. “If we were to go back in time ... what you would traditionally see is lots of big storage tanks. Everything was volume, volume, volume.”



Today, Cal-Ore Produce is more focused on quality over mass quantities with specialty produce. Since 2010, Staunton said, Cal-Ore has dialed in on the more niche market of yellow and red potatoes rather than the more common russet potato.

“Russet potatoes are a tough market,” said Staunton, “especially going head-to-head with those super-power growing areas like Washington and Idaho.”

Staunton said the farms have switched over almost entirely to organic farming practices.

“One thing that we’ve done that is pretty unique is we pack only organic red and yellow potatoes in this line, but what we decided to do was run organic product through our system and package it in conventional packaging,” he said.

The cost to switch back and forth between the different allowable practices when it comes to conventional versus organic produce wasn’t worth the added cost.

“There’s nothing wrong with taking organic product and

packaging it as conventional,” he said. “You just can’t run that backwards.”

As for their russet potatoes, Staunton Farms grows about 50% conventional and 50% organic.

“But it’s our goal to move towards 100% organic production (of potatoes),” Staunton said.

For harvested crops to be labeled as organic, a farm must be certified, use only organic practices (such as applying clove oil rather than chemicals to remove sprouts and avoiding all pesticides for a three-year period) and meet quality standards.

Staunton said the nutrient-rich soils and low humidity in the basin are prime for growing organic produce.

One of the most important aspects of producing and selling the specialty reds and yellows is their storage.

Organic red and yellow potatoes are stored in wood-paneled boxes which allow for aeration and prevent damage from excessive weight being placed on the product.

When storing conventional russets, which are a much hardier crop than reds and yellows, millions of pounds of the harvest are unloaded from large trucks onto a conveyor belt which deposits them in a storage facility the size of an aircraft hangar.

Kyle Staunton, also a co-owner and Marc’s cousin, said their average russet harvest of 600 acres of crops amounts to roughly 30 million pounds of potatoes.



## Gold Dust Potato Processors

The next stop on the tour was the Gold Dust Potato processing plant in Malin, Oregon. Here, a unique variety of potatoes are washed, sorted, and packaged for future production by chip manufacturers – Kettle Brand and Frito-Lay.

“Since 1973, Gold Dust Potato Processors and Walker Farms have been farming in the Klamath Basin. Originally, when Bill and John Walker partnered to farm, their main focus was grain.

Now, Gold Dust & Walker Farms is “one of the Klamath Basin’s top chipping potato farms and processing plants, with our potatoes being found in brands all around the Pacific Rim,” according to the Gold Dust website.

Last year, the Walker Brothers retired, leaving the business to the next generation of the family. Tricia, Ronnie, and Weston continue the Walker’s legacy as the next generation to run the farm.



On tour, KWUA Director Tricia Walker provided a walkthrough of the processing plant. She explained how the facility works to wash, sort, and package chip potatoes. She then gave an overview of where the product goes next.

Tricia’s father, Bill, and sister, Ronnie, would soon join the tour. Collectively, the family would recount stories of the farm’s early days and how things have changed over time.

## Jeff Boyd Family

The tour bus would next go to the Malin Community Hall, where a baked potato bar awaited. During lunch, KWUA Vice President Jeff Boyd recanted stories of his family’s heritage on the Klamath Project.

“Not all farms are big corporations. Our paperwork says we are a corporation for legalities,” stated Boyd. “However, many, like mine, are small family farms. Started right here by my grandfather in the great depression and is now run by my daughter.”



## Horseradish and High Water

After lunch, attendees were bussed south to the farthest reaches of the Klamath Project to see a horseradish harvest in process. On the drive, participants passed by an onion harvest as well as dry fields left fallow due to a lack of irrigation water.

At the horseradish harvest site, the tour group met Scott Seus, a fourth-generation family farmer who managed the harvest.

“Welcome to farming,” said Seus. “Not everything goes to plan.”

Seus and his harvesting crew had patiently waited for a semi to return to the field from the processing plant across the basin. The same truck had broken down earlier that morning, but thanks to his crew, the truck was back up and running in no time.

“Horseradish is a two-year crop,” stated Seus. We harvest twice a year, some fields in the spring and others in the fall. But it takes two years for the roots to mature.”



Seus would go on to explain how some California counties view horseradish as a noxious weed and will not allow crop cultivation. The climate and soils of the Klamath Project are perfect for horseradish farming.

“Few locations in the world grow horseradish,” added Seus. “There are just a few farmers that supply the world. If you eat wasabi, you are likely eating horseradish grown here.”



The tour bus would next travel to the horseradish processing plant of Sues Family Farms, where Seus would further explain how the product is trimmed, sorted, packaged, and cooled – before being shipped to grinding facilities farther south in California.

Along the way, a special impromptu stop was made at the base of The Peninsula.

This area effortlessly shows the high-water mark of the historic Tule Lake, 15 feet above modern farming operations. Above the high-water mark are petroglyphs from a historic civilization dating before known Native American cultures inhabited the land.

“Look across the valley,” exclaimed Seus as he pointed eastward toward Horse Mountain. “See that ridge on the other side,” he asked. “There is a high-water line over there, too. Now imagine all this full of water far above your head. That is how much water once sat in this area. That wetland enriched the soil. This is why we have such great ground here in the Project. The same Project that uses a fraction of the water once stored here naturally.”

Seus then encouraged the patrons to walk around the ground, once owned by his family, now managed by the National Parks Service as part of the Lava Beds and Tule Lake National Monuments.

The tour’s final stop was alongside a mint field waiting to be harvested by Seus’ crew.

As the day ended, participants grasped the generational farming way of life. What growers are trying to do, and why they do it – to work their land to feed the world.

## Farmers Want to Farm

We at KWUA are proud and humbled to work for these people, many of whom are friends. We will continue to work to keep this community whole and point out the damaging federal water policies that are causing unnecessary harm.

“Unfortunately, federal water policy is impairing food production, the health of our rural communities, and food security on consumers’ tables,” stated Simmons. “For the resilient producers still standing, we support you and your commitment to feed the world.”

“We give a huge thank you to the sponsors who funded the entire tour cost,” said Shearer. “Without them, we could not share this experience.”



with a young family to support, that Ady arrived in the Klamath Basin on September 6, 1904, at a time of great excitement and promise. Engineering parties from U.S. Reclamation Service had been investigating

potential irrigation projects across the West since shortly after passage of the Reclamation Act of 1902, also known as the Newlands Act. Following several reconnaissance trips to the Klamath Basin, Reclamation set up temporary headquarters at Klamath Falls in August 1904, with engineering investigations being led by Thomas Hyrum (T.H.) Humpherys.

It is unclear whether Ady immediately realized the immense opportunity that lay before him, but he took a job with Reclamation as a surveyor's assistant holding a leveling rod. Indeed, how differently the future might have turned out for both Ady and the Klamath Project had he not, shortly after being hired on, gotten into a fight with his supervisor, R.B. Parks, who lost a piece of his ear in the altercation. Ady apparently hit the man with a club of some kind. This confrontation, naturally, led to his immediate firing.

While his employment with Reclamation was brief, it was apparently enough to learn what he needed. From Rufus Moore to John Frank Adams, "many of the old timers would have been out of luck if they had not known how to run a line for themselves" and now Ady had taught himself. Ady also apparently had some awareness of land dealings along the Sacramento and San Juaquin rivers in California, where

cattlemen such as Henry Miller and Charles Lux had amassed vast tracts of flooded riparian lands under the Swamp Land Act of 1850, many of these tracts fraudulently obtained through proxies and agents.

As later embellished in a 1909 account in the Klamath Falls Express:

"When [Ady] saw the marsh land of the lower Klamath valley, neglected by all save the pelicans and blue herons, he saw his opportunity and rose to the occasion. Having worked for a while to secure grubstake, he ran lines through those marshes, wading through water, often crawling prone from tussock to tussock, his lower extremities chilled with the cold water, his head and trunk scorched by the sun, bitten by swarms of mosquitoes, facing certain disease and endangering his life every day – because he was a man with the idea – that the swampland could be made to support thousands of people..."

Stay tuned for more on Abel Ady and his adventures in future editions of Basin Ag News.



Abel Ady, left, with a white pelican on Lower Klamath Lake, circa 1907. Klamath County Museum



---

# WHAT HAS THE BOARD BEEN WORKING ON:

KWUA's Board of Directors strives to keep member districts, their patrons, and other interested parties informed. Board members help with the dissemination of information received at our monthly board meetings, and staff produces a monthly newsletter.

The KWUA board held its regular business meeting on October 18, 2023. Below is a recap of the ongoing activities. If you would like more in-depth information, we encourage you to contact your respective district board member listed on our website.

---

## FROM YOUR DISTRICTS *UPCOMING MEETINGS*

- Klamath Irrigation District will hold its Board of Directors meeting on November 9 @ 10:00 am at the KID office. [www.klamathid.org](http://www.klamathid.org)
- Tulelake Irrigation District will hold its monthly Board of Directors meeting on November 13 @ 8:00 pm. [www.tulelakeid.com](http://www.tulelakeid.com)
- KWUA will hold its monthly Board of Directors meeting/Annual Planning meeting on November 15 @ 2:00 pm. [www.kwua.org](http://www.kwua.org)
- Klamath Drainage District will hold its monthly Board of Directors meeting on November 22 @ 1:00 pm. [www.klamathdrainagedistrict.org](http://www.klamathdrainagedistrict.org)

Klamath Irrigation District patrons, did you know that KID has a newsletter with all the current water happenings. [Click here to read the latest issues.](#)

---

## OPERATIONS REPORT

Gene Souza addressed the current water year, and then, with board approval, took a minute to distribute the symbolic coins he had made, which he recently also gave to congressional representatives during his trip East. The board thanked Gene for the kind gesture.

## ESA RE-CONSULTATION

Paul Simmons stated that re-consultation is a very high priority for KWUA staff. Reclamation is using a process that is different than in any time in the past, and so far, it seems better than any other the 2012-2013 consultation. We believe some of KWUA's most important input is being heard. That said, the outcome is not known. Also, it is not yet clear whether Reclamation's proposed action will be based on modification of the Interim Operations Plan, versus starting from scratch and doing the consultation correctly, as we have advocated.

The ESA re-consultation includes a technical group, and a management group that was formed to provide input on regulatory and policy ESA. KWUA has provided significant input in writing, and during meetings of the groups. Paul Simmons stated that he believes we can do and will do more, the goal being to have a fair process that is consistent with how ESA consultations are conducted elsewhere.

Paul spoke about a draft charter for the ESA consultation and other management issues, and shared with the board the comments and proposed edits from KWUA. This

document was also discussed during a management group meeting on October 10.

## NORTH-WESTERN POND TURTLE— PROPOSED LISTING AND 4(d) RULE

The USFWS is proposing to list the Western Pond Turtle as a threatened species and to disallow take, subject to certain conditions. The comment deadline for the proposed rule is December 4, 2023. KWUA staff will review the proposed rule in detail and likely draft comments and will coordinate with other western interests as well.



## RESTORATION ACTIVITIES AND FUTURE DIRECTION

KWUA and members are engaged in difficult internal discussions; the board and member districts were encouraged to focus on open communication regarding the identified



issues including certain specific restoration activities under consideration and the positive or negative implications and, on a broader level, whether there is any consensus on whether and how to line up in support of restoration activities.

## EXECUTIVE DIRECTOR’S REPORT, PAUL SIMMONS

Paul Simmons stated that the USFWS has released proposed modifications to its guidance documents for the management of national wildlife refuges. This just came to our attention on October 9, and comments were due on October 16.

**Federal and State Leadership Communications.** Paul summarized material in his written report, pages 6-7 of the agenda package, concerning his meeting with Governor Kotek and communications with congressional offices.

**“Strickler” Group (also known as “Ashland Meetings”) and Proposed Restoration MOU.** At its September 9 meeting, the board reviewed a draft memorandum of understanding (MOU) between KWUA, three tribes, and the Department of the Interior (DOI) concerning restoration activities and potential joint recommendations from those parties. Paul stated that it is clear that, if the MOU comes to fruition, it will be used in policy contexts to generate support for funding, which can be a good thing, depending on details. In this regard, at the September meeting, the board was in agreement that the draft MOU was deficient in its failure to identify water stability for irrigation as a goal of the negotiations between the involved parties. KWUA provided input on the MOU, primarily related to this water issue, which was shown in the board agenda package. The “Strickler group” discussed the MOU and KWUA’s comments at a meeting on October 11, just before the KWUA board meeting.

**Keno Dam: OWRD Grant Application (Fish Passage).** The Oregon Water Resources Department (OWRD) was anticipated to apply for a grant or grants to conduct studies for improved fish passage at Keno Dam, and Paul provided his opinion as to the “pro and con” of this development and KWUA’s potential involvement. On October 11, KWUA staff received a request for a letter of support for a grant application. The board agreed that KWUA should provide a letter of support.

## WATER POLICY DIRECTOR’S REPORT, MOSS DRISCOLL

**Dam Removal Update.** Moss Driscoll briefly summarized his written report to the board. He explained how the breach of



Iron Gate Dam continues to be a concern with the Federal Energy Regulatory Commission (FERC) and the board of engineers appointed to oversee the project. Coordination on storage operations in Upper Klamath Lake is the key to minimizing this risk, which should afford opportunities in 2024, if institutional and political barriers do not impede the opportunity.

**Klamath River Canyon.** Moss referred the board to a draft article in the board packet on the Klamath River Canyon. The piece supports the point that agriculture, fish and wildlife can coexist in the Klamath Basin. Tricia Walker asked how this kind of information could be used on the PR/marketing front. A long discussion ensued about the board and member districts’ support for restoration activities.

**Planning Update.** After a long discussion, the board approved a motion to move the planning meeting to the earliest possible date so it could encompass budgeting concerns. November 2 was chosen as the date. Staff would like to have all district managers and one respective board member present.

## DIRECTOR OF MARKETING AND PUBLIC RELATIONS, BRIAN GAILEY

Brian Gailey referred the board to his written report and otherwise directed his remarks to the importance of a plan in order to market and represent KWUA effectively. Paul and Moss commended Brian for his work to date.

Brian has taken over as Managing Editor of Basin Ag News. The October 2023 edition will publish on the 18th and copy is due on the 11th. Brian referred the board to his written report for other tasks he has worked on in his first 30 days.

## BRIAN GAILEY HAS JOINED KWUA LEADERSHIP TEAM

KWUA is proud to announce Brian Gailey has joined the team as the Director of Marketing and Public Relations.

“Gailey is a perfect fit for the organization, and he will hit the ground running,” said Paul Simmons, KWUA Executive Director. “We conducted an extensive search, and there were great candidates, but we happily found our person at home.”



For the past sixteen years, Gailey has been an entrepreneur, owning and operating various businesses. Over the last six years, he has been the Owner and Publisher of Klamath Falls News.

Gailey began his career in journalism in 2007 as a photojournalist for the Pioneer Press. In that same year, he also launched his professional photography brand and was a manager in corporate marketing with a locally owned but nationally known real estate firm.

“I am thrilled to join the Klamath Water Users Association. I am eager to put my skills to work for the association,” stated Gailey. “Water issues are a compelling dynamic of the Klamath Basin. I look forward to conveying the stories and sharing the lives of our farming and ranching community while respecting and honoring all the history and traditions of the Klamath Basin.”

“Gailey’s resume is impressive,” added Simmons. “He brings years of marketing and public relations experience from the private and corporate world to KWUA. He is also a former board member with the Klamath County Chamber of Commerce and on the Klamath County Fair Board.”

Beyond his local news company, Gailey’s work has been featured nationally with NBC Nightly News and ABC World News; regionally with The Seattle Times, The Oregonian,

KATU, KOIN, KOMO, NWCN; and locally with KDRV, KTVL, KOBI, and Herald and News.

“I am a third-generation resident of the Klamath Basin, which has been my home for over four decades,” stated Gailey. “Several of my family members live and work on the Klamath Project, as well as in the Upper Klamath Basin near Crater Lake. I was born here, raised my family here, and completed my education at both Henley High School and Oregon Tech.”

“I have been proud to call the Klamath Basin home over the last forty-plus years,” explained Gailey.

“Like many in our community, I also have deep-rooted ties to the basin. I cherish all aspects of our community - our diverse landscapes, culture, history, potential, and future. Not only do I want to see the Klamath Basin succeed, I want to see the Basin thrive.”

## SIMMONS MEETS WITH GOVERNOR KOTEK

Oregon Governor Tina Kotek recently visited Klamath and Lake Counties as part of her “One Oregon” listening tour.

While in Klamath County, the Governor toured the Swan Lake energy storage location, met with early childhood education administrators, and sat down with media professionals.

In between her visit to Lake County and the Swan Lake facility, she had lunch with a select few invited guests, including the KWUA Executive Director Paul Simmons, in Bly.

“It was an excellent opportunity to explain the current circumstances of Klamath Project irrigators, including the severe negative impacts of federal water management activities on local communities, wildlife, and the environment,” explained Simmons. “Probably more importantly, I informed the Governor about the agricultural community’s perspectives on the State’s role and activities and identified specific steps the State can take to improve this situation as well as the prospects for the basin as a whole.”

Simmons also thanked the Governor for her work as Oregon Speaker of the House in 2021, when the Legislature appropriated funds for extreme needs in Klamath County including failed domestic wells and increased district costs due to dry and damaged canals and drains.



KWUA Executive Paul Simmons explains the Klamath Project to Janet Coit, Assistant Administrator for Fisheries, of the National Oceanographic and Atmospheric Administration.

### Did You Know

KWUA offers notary services. Chelsea Shearer is a certified Notary Public and KWUA offers her notary services free to all members and patrons of member districts. To schedule an appointment with Chelsea, call the office at 541-883-6100.

KWUA has copies of all contracts between Reclamation and districts and individuals. These contracts, of which there are hundreds, date to as early as 1909. Copies are available to our members without charge and to others at our cost.

KID, Tulelake Irrigation District (TID), and Klamath Drainage District (KDD) all have district websites with the latest information on current events in their districts. Visit our website <https://kwua.org/member-districts/> for links to all their sites.

