

Appendix L

Water Rights

Upstream of Iron Gate Dam, the mainstem of the Klamath River is controlled by several dams operated by PacifiCorp for hydropower generation. Downstream of Iron Gate Dam, the mainstem of the Klamath River flows freely 190 miles through Siskiyou, Del Norte, and Humboldt Counties to the Pacific Ocean. A query on California's Electronic Water Rights Information Management System provided 6 water rights listings upstream of Iron Gate Dam and 32 water right listings downstream of Iron Gate Dam with the Klamath River or Klamath River reservoir as the water source. This appendix contains the query results and has a map that displays the locations.

Table L-1. Water Rights on Klamath River: Upstream of Iron Gate Dam

General Location/Map ID	Application ID	Permit ID	License ID	Date	Water Right Type	Status ¹	Holder Name	Organization Type	County	Additional Information ²
Downstream of CA/OR Border										
	S015377			7/10/2022	Statement of Div and Use	Claimed	PacifiCorp	Government (State/Municipal)	Siskiyou	2,200 acre-feet per year to irrigate 43 acres and stock watering between April and October.
	S015378			7/10/2022	Statement of Div and Use	Claimed	PacifiCorp	Government (State/Municipal)	Siskiyou	575 acre-feet per year to irrigate 8 acres and stock watering between April and October.
	S015737			4/28/2003	Statement of Div and Use	Claimed	PacifiCorp	Government (State/Municipal)	Siskiyou	2,700 acre-feet per year to irrigate 58.3 acres and stock watering between April and October.
Copco Lake										
	S015374			2/19/2002	Statement of Div and Use	Claimed	PacifiCorp	Government (State/Municipal)	Siskiyou	Water is stored in Copco Lake. Average use approximately 1,000 to 1,200 cfs per month for impoundment of water and generation of electric power, non-consumptive use. FERC license #2082. In conjunction with S013375.
	S015375			2/25/2002	Statement of Div and Use	Claimed	PacifiCorp	Government (State/Municipal)	Siskiyou	Average diversion of approximately 1,400 to 1,900 cfs per month for hydropower and impoundment at Copco 1 Powerhouse, non-consumptive use and Copco Lake. In conjunction with S015364.

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	S015376			2/19/2002	Statement of Div and Use	Claimed	PacifiCorp	Government (State/Municipal)	Siskiyou	Average diversion of approximately 1,300 to 1,900 cfs per month for hydropower and impoundment at Copco 2 Powerhouse and Copco Lake.

Source: California Electronic Water Rights Information Management System (SWRCB 2010)

Notes:

¹Status Definitions:

Claimed: Riparian and pre-1914 appropriative rights predate the Water Commission act. Entities that hold these rights are not required to obtain a permit from the SWRCB. These types of rights can only be confirmed by the courts.

²cfs = cubic feet per second, gpm = gallons per minute, gpd = gallons per day

Table L-2. Water Rights on Klamath River: Iron Gate Dam and Downstream Reach

General Location/Map ID	Application ID	Permit ID	License ID	Date	Water Right Type	Status ¹	Holder Name	Organization Type	County	Additional Information ²
Iron Gate Dam										
WR-1	A017527	12259	9457	3/26/1957	Appropriative	Licensed	PacifiCorp	Government (State/Municipal)	Siskiyou	1,800 cfs for power generation, 50 cfs for fish propagation facilities, 3,300 cfs to refill regulatory storage space in Iron Gate Reservoir. Direct diversion amount not to exceed 3,300 cfs. Permit for January 1–December 31. Other provisions include maximum diversion not to exceed 120,000 acre-feet in a water year; maximum flow rate not to exceed 300 cfs May 16–September 15, and not to exceed 100 cfs September 16–May 15.
WR-2	A016957			3/20/1956	Appropriative	State Filing	SWRCB (State Water Resources Control Board)	Government (State/Municipal)	Siskiyou	Diversion storage amount 60,000 acre-feet
WR-3	A016958			3/20/1956	Appropriative	State Filing	SWRCB	Government (State/Municipal)	Siskiyou	Diversion storage amount 60,000 acre-feet
WR-4	S012968			3/30/1987	Statement of Div and Use	Claimed	PacifiCorp	Corporation	Siskiyou	Direct diversion amount 48 cfs
WR-5	A019478	12741	7715	6/6/1960	Appropriative	Licensed	Klamath River Country Estates Owners Association Inc	Government (State/Municipal)	Siskiyou	Direct diversion amount 0.1 cfs, May 1–October 31 for irrigation of 8 acres. Can increase diversion rate, but must not interfere with other vested water rights or go over flow allowance in a 30-day period.
WR-6	S016524			12/10/2010	Statement of Div and Use	Claimed	R- Ranch P _{oa}	Corporation	Siskiyou	Direct diversion amount 126.8 acre-feet per year

Table L-2. Water Rights on Klamath River: Iron Gate Dam and Downstream Reach

General Location/Map ID	Application ID	Permit ID	License ID	Date	Water Right Type	Status ¹	Holder Name	Organization Type	County	Additional Information ²
WR-7	S000708			5/22/1967	Statement of Div and Use	Claimed	Klamath River Country Estates Owners Association Inc	Corporation	Siskiyou	Irrigation of 8 acres. The Statement of Water Diversion and Use includes use during May 1–October 31; maximum flow rate of 25 gallons per minute (gpm) but flow volume used per month changes. There is an approximate total use of 1.6 million gallons annually.
WR-8	D031134R		000568R	6/30/2006	Small Domestic Reg	Registered	Richard K Kleinkopf	Individual	Siskiyou	Direct diversion amount shall not exceed 4,500 gallons per day (gpd) during January 1–December 31 for domestic use. Max diversion not to exceed 5 acre-feet per year.
WR-9	S011340			4/30/2007	Statement of Div and Use	Inactive			Siskiyou	Direct diversion amount 9,000 gpd, no name of file since 2007.
WR-10	A022434	15179	9480	3/29/1966	Appropriative	Licensed	Deanne Starritt	Individual	Siskiyou	Direct diversion amount 10,000 gpd, April 1–October 1 for irrigation of 3 acres and fire protection. Max diverted is 2.5 acre-feet per year. Can increase diversion rate, but must not interfere with other vested water rights or go over flow allowance in a 30-day period.
WR-11	S001040			7/31/2008	Statement of Div and Use	Inactive	Edwin M Roston	Individual	Siskiyou	Direct diversion amount 8.9 cfs
WR-12	S009616			5/19/2008	Statement of Div and Use	Inactive	E M Roston & Sons	Corporation	Siskiyou	Direct diversion amount 1.1 cfs
WR-13	S009617			5/19/2008	Statement of Div and Use	Inactive	E M Roston & Sons	Corporation	Siskiyou	Direct diversion amount 3.56 cfs, no updated address on file, status is inactive.

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General Location/Map ID	Application ID	Permit ID	License ID	Date	Water Right Type	Status ¹	Holder Name	Organization Type	County	Additional Information ²
WR-14	S009618			5/19/2008	Statement of Div and Use	Inactive	E M Roston & Sons	Corporation	Siskiyou	Direct diversion amount 0.45 cfs, no updated address on file, status is inactive.
Downstream of Cottonwood Creek										
WR-15	S013204			8/1/2008	Statement of Div and Use	Inactive	Marie Dolores Jorgensen	Individual	Siskiyou	Direct diversion amount 0.134 cfs
WR-16	S014586			6/4/1996	Statement of Div and Use	Claimed	Robert P Fuhs	Individual	Siskiyou	Direct diversion amount 0.11 cfs, Diversion 1.4 acre-feet
WR-17	S014788			1/16/1998	Statement of Div and Use	Claimed	Richard L Jennings	Individual	Siskiyou	Direct diversion amount 1.1 cfs, Diversion 1,000 acre-feet
WR-18	S016753			6/23/2010	Statement of Div and Use	Claimed	Matthew J Connelly	Individual	Siskiyou	Direct diversion amount 0 acre-feet/yr
WR-19	S013405			5/10/1990	Statement of Div and Use	Claimed	The Rea Family Trust	Corporation	Siskiyou	Direct diversion amount 14,400 gpd
WR-20	S010021			1/21/1980	Statement of Div and Use	Claimed	Steven G. Moore	Individual	Siskiyou	Direct diversion amount 100 gpd for irrigation and stock watering.
WR-21	S013406			5/10/1990	Statement of Div and Use	Claimed	Carlos Zepeda	Individual	Siskiyou	Direct diversion amount 7,200 gpd
WR-22	S014172			4/11/1994	Statement of Div and Use	Claimed	Robert Rainey	Individual	Siskiyou	Direct diversion amount 0.33 cfs, Diversion 30 acre-feet
WR-23	A017036			4/24/1956	Appropriative	State Filing	SWRCB	Government (State/Municipal)	Siskiyou	Diversion storage amount 1,850,000 acre-feet
WR-24	A017035			4/24/1956	Appropriative	State Filing	SWRCB	Government (State/Municipal)	Siskiyou	Diversion storage amount 1,850,000 acre-feet
Downstream of Happy Camp and Seiad Valley										
WR-25	A017034			4/24/1956	Appropriative	State Filing	SWRCB	Government (State/Municipal)	Siskiyou	Diversion storage amount 1,850,000 acre-feet
WR-26	A017033			4/24/1956	Appropriative	State Filing	SWRCB	Government (State/Municipal)	Siskiyou	Diversion storage amount 4,120,000 acre-feet

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General Location/Map ID	Application ID	Permit ID	License ID	Date	Water Right Type	Status ¹	Holder Name	Organization Type	County	Additional Information ²
WR-27	A021640	14454	10072	2/10/1964	Appropriative	Licensed	Leo A Mollier	Individual	Humboldt	Direct diversion amount 0.13 cfs, max 0.15 cfs as long as not to exceed 7.8 acre-feet in 30 days. Maximum amount allowed in a year 39 acre-feet. Use is for irrigation purposes for 19 acres; use May 1–December 1.
WR-28	A017032			4/24/1956	Appropriative	State Filing	SWRCB	Government (State/Municipal)	Humboldt	Diversion storage amount 5,480,000 acre-feet
WR-29	A017031			4/24/1956	Appropriative	State Filing	SWRCB	Government (State/Municipal)	Humboldt	Diversion storage amount 5,480,000 acre-feet
WR-30	A017038			4/24/1956	Appropriative	State Filing	SWRCB	Government (State/Municipal)	Humboldt	Diversion storage amount 1,940,000 acre-feet
WR-31	A017037			4/24/1956	Appropriative	State Filing	SWRCB	Government (State/Municipal)	Humboldt	Diversion storage amount 1,940,000 acre-feet
WR-32	A023121	15791		8/29/1968	Appropriative	Permitted	Klamath Community Services District	Government (State/Municipal)	Del Norte	Direct diversion amount 0.5 cfs, Diversion 210 acre-feet per year
Pacific Ocean										

Source: California Electronic Water Rights Information Management System (SWRCB 2010)

Notes:

¹Status Definitions:

Claimed: Riparian and pre-1914 appropriative rights predate the Water Commission act. Entities that hold these rights are not required to obtain a permit from the SWRCB. These types of rights can only be confirmed by the courts.

Permitted: A permit is an authorization that allows for the development of a project to proceed with considerations for the beneficial uses of water, the public interest, reasonableness, and the public trust.

Licensed: If a project is determined to be using the allotted water beneficially under the conditions of a permit, a vested water right license is issued.

Registered: In lieu of a water right, entities can register to divert and use a small amount of water from a stream for domestic purposes or the use of a small amount of water for livestock. In such cases, the use is registered with the SWRCB and must follow conditions set by the CDFG to protect fish and wildlife.

Inactive: Unexercised water right.

Revoked: Permits and licenses may be revoked if a water right is forfeited after five years of non-use or if a water right is abandoned.

State filing: To preserve water for future use and development consistent with a coordinated plan such as the State's Water Plan or a County General Plan. The SWRCB holds them in trust for the people of California. Parties who desire to develop water supply projects consistent with the coordinated plan may petition the SWRCB to assign all or part of the state-filed application to them. If approved, this action gives the petitioner a water right priority based on the date that the state-filed the water right application.

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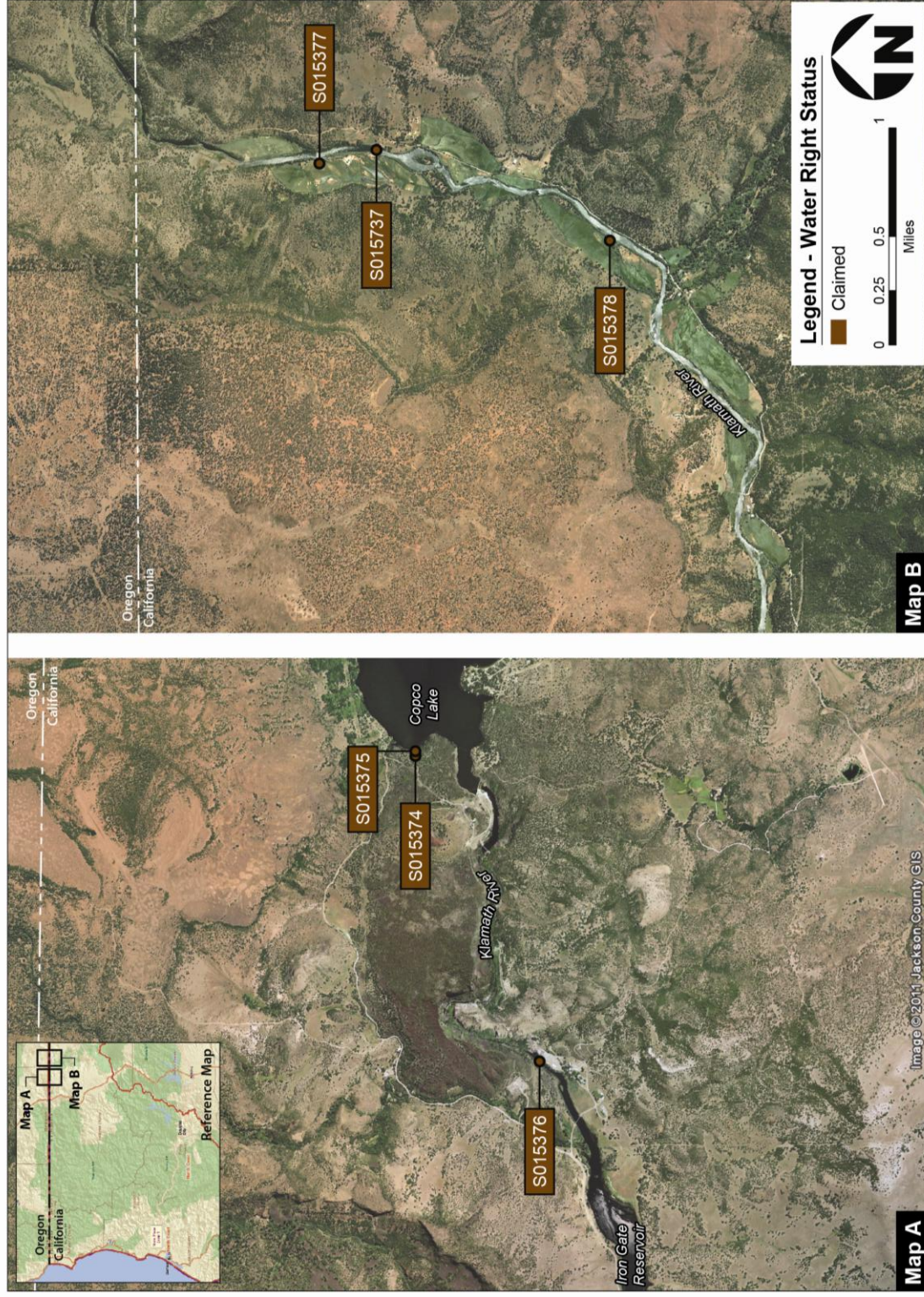


Figure L-1. Water Rights Upstream of Iron Gate Dam (IDs are referenced in Table L-1)

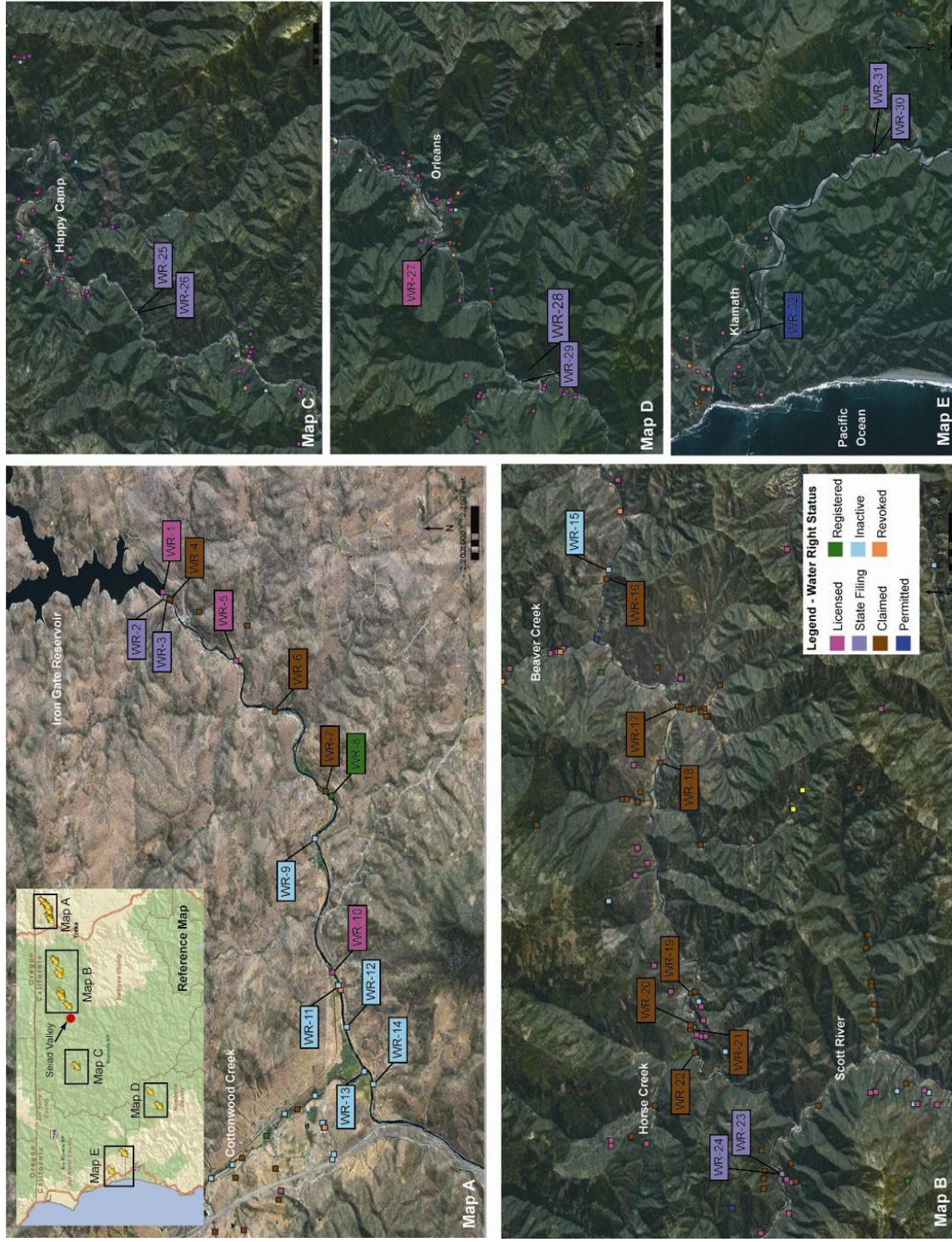


Figure L-2. Water Rights Downstream of Iron Gate Dam (IDs are referenced in Table L-2)

L.1 References

State Water Resource Control Board (SWRCB). 2010. California Electronic Water Rights Information Management System. Accessed at <http://www.swrcb.ca.gov/ewrims/>. Accessed on December 17, 2010 and July 8, 2011.