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IN THE CIRCUIT COURT OF STATE OF OREGON
FOR MARION COUNTY

KLAMATH IRRIGATION DISTRICT,)
)
Relator,)
)
v.)
)
OREGON WATER RESOURCES)
DEPARTMENT, an agency of the state of)
Oregon, THOMAS BYLER, in his official)
Capacity as Director of Oregon Water)
Resources Department, and DANETTE)
WATSON, in her official capacity as)
Watermaster for the Oregon Water)
Resources Department,)
Respondents.)
_____)

Case No.: 20CV15606
ALTERNATIVE WRIT
OF MANDAMUS

THIS MATTER came before the Court on Relator's Emergency Petition for Alternative Writ of Mandamus, which is fully restated and incorporated herein by reference;

NOW, THEREFORE; Immediately upon receipt of this writ, to the extent you have not previously done so you are commanded to take charge of Upper Klamath Lake ("UKL") reservoir pursuant to ORS 540.210 and pursuant to ORS 540.210(2) SHALL, effective April 21, 2020, take exclusive charge of the UKL, for the purpose of dividing or distributing the water therefrom in accordance with the respective and relative rights of the various users of water from the ditch or reservoir, and shall continue the work until the necessity therefor shall cease to exist.

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Alternatively, Respondents may show cause before this Court why no such determination can be made and/or why Respondents lack the authority to take exclusive charge of the UKL for the purpose of dividing and distributing the water therefrom. Respondents shall either return the writ, with certificate annexed, or appear and show cause as set forth above, on April 27th, 2020, at 1:30 p.m., in Courtroom 2C of the Marion County Courthouse: 100 High Street NE Salem OR 97309.

Signed: 4/21/2020 02:45 PM



Anne Black, Court Clerk



Order prepared by Court
Channing Bennett
OSB 022511