

In the Klamath, there has been significant dispute about the modelling used by the Department to enforce against groundwater users, and that uncertainty is likely why the Department has not lifted the stay. This decision is appropriate in light of the significant disputes regarding the Department's modelling and does not warrant the legislature changing a provision that has been helping maintain the status quo in water appeals for the last several decades. If the Department believes that a stay is inappropriate, they can and have decided to lift the stay in favor of enforcing their final order. Their decision not to do so in one basin does not warrant changing the law for the entire state, particularly given that the final orders in that basin are hotly contested