



HB 2851

Testimony of WaterWatch of Oregon
By Kimberley Priestley
Submitted to the House Energy and Environment Committee
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Founded in 1985, WaterWatch is a non-profit river conservation group dedicated to the protection and restoration of natural flows in Oregon's rivers. We work to ensure that enough water is protected in Oregon's rivers to sustain fish, wildlife, recreation and other public uses of Oregon's rivers, lakes and streams. We also work for balanced water laws and policies. WaterWatch has members across Oregon who care deeply about our rivers, their inhabitants and the effects of water laws and policies on these resources.

WaterWatch supports HB 2851

What HB 2851 does: This bill would allow the OWRD to require reporting of water use information for those that are already required to measure water use. In other words, HB 2851 simply gives the Oregon Water Resources Department an additional tool to better manage Oregon's water. This bill does not mandate any action by the state.

Why Reporting Authority is important: Water use measurement and reporting is the cornerstone of effective water management and efficient water use. It is a basic, common-sense tool that is necessary to provide good data on water use throughout the state, to help water users stay within their legal limits and use water more efficiently, and to help the state carry out its water management responsibilities. Increasing conflicts over water, burgeoning demand for limited water supplies, water transfers, instream flow protection, federal laws, water right adjudications, smart economical farm management, climate change, increasing incidents of drought – all necessitate water use measurement and reporting.

All governmental entities, including municipalities and irrigation districts (ORS 537.099(1)), and most new water permits issued since 1993 are required to measure and report water use. As to pre-1983 rights, the OWRD does have broad authority to require measurement of these rights, and is doing so in many places of the state, but it currently lacks equal authority to require reporting of the measured data.

This bill would expand the state's toolbox to allow the OWRD to require those that are currently measuring to report the information to the state. This will allow for greater efficiencies with OWRD's limited field staff.

Why water use measurement data is important: In order for the state to fulfill its water management responsibilities and water planning functions, it is essential that water use not only be measured, but that the information be provided to the state. Water use data is used for a variety of the Water Resources Department's existing program areas, including:

- Understanding water availability: Water use data is used to refining WRD's water availability model, which is used to evaluate whether new permits can be issued
- Certification of water rights: Providing information for use as final proof evidence

- Protecting existing water right holders from injury in water right transactions: Historical water use data is used to support injury determinations for proposed water right transfers, permit amendments and voluntary leases
- Protecting water rights on the ground: Field staff work to distribute and regulate water use for the protection of senior rights
- Managing groundwater: Water use data is critical to the state's work of monitoring the status of groundwater areas, as well as providing information to inform basin studies.

The importance of water use data has been highlighted in a number of state documents including but not limited to the Oregon Plan, the 2000 Water Resources Commission Water Management Strategy, the 2012 Integrated Water Resources Strategy and, most recently, the Secretary of State Audit of the Oregon Water Resources Department. These documents recognize that water measurement and reporting provides a solid foundation for the state to make sound decisions which protect existing water right holders, facilitate planning for future water supplies and may prevent time consuming and costly conflicts in the future.

Summary: Again, this is simply a tool. It does not mandate that the OWRD use this tool, but rather allows them the discretion to use it where it will increase efficiencies in water management. We would urge the Committee to vote yes on this bill.

Thank you for this opportunity to comment.

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