



Senate Committee on Natural Resources and Wildfire Recovery
January 25, 2021
Senator Golden, Chair

Testimony in Support of Senate Bill 130
*Extending the Irrigation District Pilot Project Allowing
Temporary Transfers within District Boundaries*

Submitted by:
Racquel Rancier, Policy Manager
Bryn Hudson, Legislative Coordinator

Thank you for the opportunity to provide testimony in support of Senate Bill 130, a bill that would extend a pilot project that authorizes irrigation districts to temporarily change the place of use of water rights within their boundaries without submitting an application for a transfer.

Background

In 2003, the Legislative Assembly authorized a pilot project allowing three irrigation districts to make annual place of use changes to water rights within their legal boundaries without making application to the Water Resources Department for a temporary transfer. Between the 2003 and 2007 legislative sessions, only a small number of transfers were completed and there was insufficient data to assess the pilot. The program was extended in 2007, providing an additional two years for the three districts to test the approach.

After showing some success, in 2009, the pilot was extended to 2016 and expanded to include 15 districts. Prior to extending the pilot again, the Department conducted an evaluation and found that five of the 15 districts did not use the pilot, and only four districts utilized the pilot every year. In 2015, Senate Bill 267 made some adjustments to the pilot, extended the sunset to January 2, 2022, and required a report to the Legislature by January 31, 2021.

2021 Legislative Report: 2016-2020 Review of the Pilot Project

The pilot project is intended to provide increased flexibility for irrigation districts to temporarily change the place of use of water rights without reducing protections for existing water users. To temporarily change the place of use of water rights under the pilot project, districts are required to satisfy standard water right transfer criteria and maintain records. This includes ensuring that there is no injury to other water rights or an expansion of the authorized irrigated acres.

A copy of the 2021 Legislative Report is available [online](#) and a copy of the Executive Summary has been uploaded for the committee. As outlined in the report, participation has been more consistent in recent years as districts discover the utility of the pilot process for transfers. Now that participation has been more consistent, the Department would like to initiate conversations with the districts and other stakeholders about the longer-term vision for the pilot, including what

changes would be needed in order to allow broader participation and to make the pilot permanent.

As discussed in the report, feedback from Department staff, participating districts, and the Oregon Water Resources Congress indicate that there are further modifications to explore. The Department is proposing to extend the project to allow time for these discussions to occur before expanding the project or making it permanent, as well as to continue to obtain additional data with the more consistent participation.

Conclusion

Senate Bill 130 extends the Irrigation Pilot Project from January 2, 2022 to January 2, 2030. Current information shows the pilot project is providing the districts with more management flexibility, while also ensuring that other water users are protected. The Department is recommending continuation of the Irrigation District Temporary Transfers Pilot Project to allow for stakeholder discussions to assess potential further modifications to the program and assess its implementation before expanding the program or making it permanent.