

Friday, April 18, 2023

Senate Committee on Natural Resources
Chair Senator Jeff Golden

RE: Oppose HB 3187-A

Honorable Chair and Committee Members

As a practicing professional that includes Water Right Examiner work, I have concerns on this proposed bill.

This HB 3187-A allows irrigation/Water District employees to qualify for a Water Right Examiner Certification with their only experience working for the district. Currently licensing is required as an Engineer, Surveyor, or Geologist. Rules and guidelines were put into place by years of meetings, agreements, and solutions of water users and OWRD.

Certification of Water Right Examiners was established by the Water Resources Department and OSBEELS . The registrants of OSBEELS were chosen because of their Rules of Professional Conduct to safeguard life, health, and property, to promote the public welfare, and to establish and maintain a high standard of integrity and practice as recited in the Rules of Professional Conduct, and their knowledge and experience of their profession (land surveyor, engineer, or geologist).

Board of Examiners for Engineering and Land Surveying

OAR 820-020-0005 RULES OF PROFESSIONAL CONDUCT (1) In order to safeguard life, health and property, to promote the public welfare, and to establish and maintain a high standard of integrity and practice, the following Rules of Professional Conduct shall be binding on: (a) Any individual holding a certificate of registration, or a temporary authorization, or enrolled as an intern.

OAR 820-020-0015

Registrants or Applicants for Registration or Certification Shall Hold Paramount the Safety, Health and Welfare of the Public.

Water Resources Department

Chapter 690 Division 14 CERTIFIED WATER RIGHT EXAMINERS

OAR 690-014-0005 (1) The purpose of these rules is to establish the criteria for certification of Water Right Examiners. They also define the minimum standards and criteria under which Certified Water Right Examiners shall conduct surveys to describe the extent of appropriation for beneficial use of public waters. The rules also describe the information required and procedure for preparing maps to accompany transfer applications. These rules are in addition to OAR 690, divisions 020, 051, 300, 310 and 380.

OAR 690-014-0050 CWRE's shall be certified by OSBEELS. In addition to these rules, OSBEELS rules found in OAR 820 apply. (1) CWRE applicants shall be registered in Oregon as a professional engineer, professional land surveyor or registered geologist.

OAR 690-014-0020 (2) "Certified Water Right Examiner" or "CWRE" means any individual certified by OSBEELS to collect and report data and conduct surveys to describe the extent of appropriation for Claims of Beneficial Use, and also to prepare maps for transfer applications.

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