



# WaterWatch of Oregon

## Protecting Natural Flows In Oregon Rivers

### HB 2929A

#### Testimony of WaterWatch of Oregon by Kimberley Priestley Senate Committee on Natural Resources April 26, 2023

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 and aquifers to sustain fish, wildlife, recreation, and other public uses of Oregon's waters. 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 2929A

What HB 2929A does: HB 2929A would authorize the Water Resources Department to seek temporary or permanent injunctive relief to address known illegal uses of water, including using water without a permit or continuing use water after a watermaster has regulated a water right off.

WaterWatch urges support for HB 2929A: Illegal water use is something that hurts everyone, whether a farmer, city or fish. Currently, the Department's regulatory toolbox to address illegal water use is not nimble enough to expeditiously address illegal use by those who refuse to comply with the Department's efforts to regulate them.

HB 2929A would grant the Department the ability to seek injunctive relief in those cases where a person who is illegally using water refuses to comply with the Department's initial attempts to shut off their illegal use. Some salient points include:

- HB 2929A does not mandate the Department seek injunctive relief, but rather just adds this authority to the OWRD water management toolbox.
- If the Department petitions for injunctive relief, then it is up to the court to decide if it is warranted after a hearing is held. The hearing provides due process. And the court is the final decision maker.
- This authority to seek injunctive relief would rest only with the Department, not third parties.
- HB 2929A requires the Department to report to the Legislature by September 2028 as to their use of this law, and the law sunsets January 2030.

Rivers, streams and aquifers across the state are overallocated, meaning more water rights have been granted than nature can fulfill. Climate change is making existing water scarcity problems worse. A recent Secretary of State Report on water highlights the need to work towards water equity and security, including a specific directive to support the regulatory efforts of state agencies. This bill offers the legislature an opportunity to do something to heed that call.

We urge the Committee to support HB 2929A

Contacts: Kimberley Priestley, WaterWatch of Oregon, [kjp@waterwatch.org](mailto:kjp@waterwatch.org), Jack Dempsey, [jack@dempseypublicaffairs.com](mailto:jack@dempseypublicaffairs.com), 503-358-2864

**WaterWatch of Oregon**  
Main Office: 213 SW Ash St. Suite 208 Portland, OR 97204  
Southern Oregon Office: PO Box 261, Ashland, OR, 97520

[www.waterwatch.org](http://www.waterwatch.org)  
Main Office: 503.295.4039  
S. OR Office: 541.708.0048