

Submitter: Katie Baltzor

On Behalf Of:

Committee: House Committee On Agriculture, Land Use, Natural  
Resources, and Water

Measure, Appointment or Topic: HB3501

I am a landowner in Eastern Oregon that relies on flood irrigation for our cattle and hay production. We need to increase water management flexibility, not bog it down with additional transfer criteria, such as public interest. Oregon water rights are obtained either through a general stream adjudication and corresponding court decree or through the OWRD application process. These rights include place of use, point of diversion, point of appropriation, and character of use. Water rights are considered property rights, as recognized by Oregon and federal courts. A water transfer simple provides options for the irrigator, as it does not enlarge their water right and must not cause injury to another water right in the system. This includes statutory protections for existing instream rights. This bill would not allow anyone to oppose a transfer just for public interest, which would increase the time and manpower to complete the transfer process through OWRD. It currently takes approximately 18 months for a water transfer to go through the process and some, if protested, may take years. OWRD currently has a backlog of 220 pending transfer cases, as these are highly technical analyses which require significant time. If you also add criteria of public interest, this would increase protests and potential litigation.

In closing, to change Oregon transfer laws to include a public interest test is an enormous step with effects to be felt for years. HB3501 preserves the current Oregon water right transfer process. Much more thought and discussion is necessary prior to changing this. I strongly urge you to support HB 3501 for the future of the agricultural industry where water is our lifeline and where agriculture contributes immensely to Oregon's economy.