

Submitter:	cynthia mahoney
On Behalf Of:	farmers and ranchers
Committee:	Senate Committee On Natural Resources and Wildfire
Measure, Appointment or Topic:	HB3342

I oppose this measure.

The government has been adversely fiddling with water rights over the years, with water to farms and ranches dwindling, pushing up the price of grains to be sold for both flour(s) and cattle. This also reduces the amount of water required needed to maintain animals, thus forcing FORCING farmers and ranchers to decrease the amounts of wheat and meat sources. By requiring new

I fully agree with the Cattlemans Association and the Oregon Farm Bureau: While HB 3342-1 takes steps to improve administrative processes, we have concerns that certain provisions may create new regulatory challenges that could negatively impact agricultural water users. The potential for expanded public protest opportunities and discretionary transfer denials introduces uncertainty in an area where predictability is essential. Farmers and ranchers depend on timely access to water, and any new requirements that delay or obstruct valid water transactions should be carefully evaluated to ensure they do not create unnecessary barriers to agricultural viability. Additionally, proposed restrictions in designated critical groundwater areas raise concerns about fairness and scientific justification. While we strongly support efforts to protect and conserve groundwater resources, policies must be based on sound science and clear, measurable criteria. It is essential that regulatory changes recognize the existing investments farmers have made in water efficiency and conservation and ensure that water remains available for agricultural production. The state must be mindful of the consequences of restricting access to water, as it directly affects food production, rural economies, and the long-term sustainability of working lands.

The -1 Amendments create certain categories of “areas” in which the Oregon Water Resources Department (“OWRD”) is either required or authorized to return applications soon after submission rather than continuing to process the applications. While we understand that such proposed provisions are suggested to create efficiencies, the provisions would allow blanket denials without application of science or consideration of special circumstances that may be found in particular applications. Furthermore, the focus on “areas” as opposed to particular sources of water, mean that applications within such areas may be denied without consideration of whether the source of water is fully appropriated or withdrawn from further appropriation. Increased Burdens on Applicants The -1 Amendments provide that 30 days after the date of the public notice for a new application, the applicant must notify

OWRD that it wishes to proceed with its application. First, the applicant just submitted its application, so they clearly wish to proceed. Second, the additional notice only serves to create inefficiencies in OWRD by requiring an additional step. Third, the additional burden placed on applicants is too high if they are unsophisticated or not available to provide the additional notice. Applicants may miss this arbitrary and unnecessary deadline, only to have their application essentially denied without reason. Oregon Cattlemen's Association HB 3342 -1 Testimony Page 2 Retroactive Applicability The -1 Amendments propose that certain provisions should apply to current applications retroactively in contradiction to ORS 536.031. Applications must be processed based on the statutes and rules applicable at the time such applications are submitted to OWRD. To do otherwise would be patently unfair to persons to submit such applications based on the laws in effect at the time of submission. The State should not continue to move the bar for application approval.