

Submitted By: Dave Henslee

On Behalf Of: Klamath Water Users Association

Testimony in opposition to Senate Bill 1153: Directs the Water Resources Department to consider whether certain water right transfers will result in a loss of in-stream habitat for sensitive, threatened or endangered aquatic species in stream reaches not protected by an existing water right or contribute to water quality impairment in water quality limited streams.

Submitted to: Senate Committee on Rule

Chair Jama, Vice-Chair Bonham and members of the committee,
Thank you for the opportunity to provide testimony on behalf of the Klamath Water Users Association (KWUA), representing the family farmers, ranchers, and irrigation districts who rely on Oregon's water rights system for their livelihoods and the economic vitality of the Klamath Basin.

We strongly oppose Senate Bill 1153.

SB 1153 Will Reduce Flexibility and Harm Water Management

SB 1153 would fundamentally alter Oregon's water rights transfer process by imposing two new evaluation standards that will significantly slow down the review and approval of transfers. In a region where nearly all surface water is already appropriated and groundwater allocations are increasingly restricted, the ability to transfer existing water rights is crucial for adapting to changing conditions, managing drought, and meeting the needs of farms, ranches, and local communities.

By adding additional layers of review, requiring the Oregon Water Resources Department (OWRD) to assess impacts on instream habitat for sensitive species and water quality in already impaired streams, SB 1153 introduces uncertainty, delays, and increased administrative burden for water users. This threatens the flexibility that is essential for responsible and timely water management, especially as new water rights are no longer available in much of the state.

OWRD's Role and Expertise

OWRD's core mission is the allocation and administration of water quantity. The agency does not have the statutory authority, resources, or specialized expertise to evaluate the complex ecological impacts of individual water right transfers on aquatic species or water quality. Imposing these requirements will not only slow the process but also increase the likelihood of litigation and conflict, diverting attention and resources away from practical solutions for water users and the environment.

Economic and Community Impacts

Delays and uncertainty in the water transfer process will have direct negative impacts on the Klamath Basin's agricultural economy and rural communities. Water right transfers have long provided a critical tool for adapting to drought, changing crop needs, and evolving community priorities. By making transfers more difficult, SB 1153 will stymie innovation, reduce the ability of farmers and ranchers to respond to water shortages, and threaten the stability of local food production and jobs.

A Better Path Forward

Rather than adding new and unnecessary burdens, the Legislature should focus on streamlining and improving the efficiency of OWRD's existing processes, while ensuring that water rights are protected and used responsibly. We support collaborative, science-based approaches that address both water user and environmental needs, but SB 1153 is not the solution.

Conclusion

KWUA urges you to reject SB 1153. The bill will reduce flexibility, increase administrative burden, and harm the very communities and economies that depend on Oregon's water. We ask the Legislature to work with all stakeholders to find balanced, practical solutions that protect both water users and the environment, without undermining the foundation of Oregon's water rights system.

Thank you for your time.