

Submitter:

MATT SMITH

On Behalf Of:

Committee:

Senate Committee On Judiciary

Measure, Appointment or Topic:

SB1545

Dear Senators and Representatives,

My name is Matt Smith. I am President of William Smith Properties, Inc. and GI Ranch Corporation. Our companies have owned, operated, and managed working ranchland in Oregon for more than forty years. We currently manage over 200,000 deeded acres and approximately 250,000 acres of leased public ground in central and eastern Oregon, all in active cattle operations.

I am writing regarding Senate Bill 1545.

SB 1545 appears to be motivated by a recent 10th Circuit decision addressing corner crossing in a single county in Wyoming. That ruling has not been applied across the entire 10th Circuit, and Oregon is not within that circuit. It is far from settled that the 9th Circuit will reach the same conclusion. Oregon does not need to—and should not—act as a test case or juggernaut on this issue.

Corner crossing directly conflicts with long-standing principles of real property law. Parcels that meet only at a corner are legally separate; they do not share access rights. SB 1545 would override that precedent by creating statutory immunity for conduct that necessarily occurs at the boundary of private property, while simultaneously removing that conduct from the definition of trespass.

In practice, corner crossing is rarely the clean, theoretical scenario often described. Corners are frequently unfenced, unmarked, and not precisely located on the ground. Even the best available mapping tools (OnX for example) lack the accuracy required to identify a legal corner with certainty. As a result, some degree of trespass is inevitable—even for individuals acting in good faith. For those acting without good faith, the incentive to knowingly cut corners is obvious.

This legislation places landowners in an untenable position: either actively police their boundaries at significant cost and conflict, or accept ongoing, unenforceable trespass. The bill's claim of providing "clarity" does exactly the opposite. It introduces ambiguity, increases conflict, and substantially weakens enforceability of private property rights.

Of equal concern is the process. The enthusiasm generated among public-use and hunting advocacy groups following the Wyoming decision appears to have driven the rapid introduction of this bill. That enthusiasm has not been matched by meaningful consultation with landowners, farmers, or ranchers—constituencies who bear the legal, operational, and financial consequences of this change. As written, SB 1545 represents a material erosion of private property rights and establishes a clear slippery slope for further encroachment.

Many landowners will feel blindsided and underrepresented if this bill advances in its current form.

I know I already do.

This is a bad deal for Oregon landowners, and I urge you to reconsider both the substance and the timing of SB 1545.

Respectfully,

Matt

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