



3415 Commercial St. SE, Ste. 217
Salem, Oregon 97302
Phone: (503) 361-8941 • Fax: (503) 361-8947

March 4, 2013

Chair Dingfelder, Vice Chair Olsen, and members of the Committee:

The Oregon Cattlemen's Association (OCA) is in opposition to Senate Bill 425. This Bill will provide benefits to only a few in a special interest group. If this Bill were to pass there will be water permit holders needing to make water transfers who will have to go through an uncertain and complicated process. Water policy in the state protects water right holders and permit holders, and beneficial uses in a lawful and predictable manner.

Water right transfers help us move water where we need it as water sources become fully appropriated and scarce in certain watersheds. SB 425 will make the water transfer process more difficult by requiring a public interest test that is more stringent than any other public interest test required for water transfers today. Today the Water Resources Department uses the historical and time tested standard honoring Prior Appropriation which is an injury analysis process well established in Oregon law for over 100 years.

The SB 425 requirement would prohibit OWRD from approving a transfer if the transfer would result in a loss of instream habitat for native fish or native wildlife in a stream reach that is not protected by an existing in-stream water right.

Furthermore, this Bill would create a new prohibition on transfers to protect instream values we have not previously protected through the well-established instream water right acquisition process. Also, the process used to evaluate and administer "no loss to habitat" would be not only complicated, but costly.

OCA urges your vote against this very unnecessary legislation.

Sincerely,

Bill Hoyt, Immediate Past President
Oregon Cattlemen's Association

Legislative Chair