

DRAFT
House Bill 4064 Testimony

My name is

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Thank you for serving as representatives in the State of Oregon.

I am not a registered lobbyist.

I am a rancher in Klamath County. I am a member and patron of Klamath Irrigation District.

This letter that some of you have received from KID does not represent me. I do not believe it represents many irrigators in KID.

I am here today to support HB 4064.

This legislation is specific to groundwater and it is important to every county in the state of Oregon.

HB 4064 underlines and codifies the current statutory responsibility of the Water Resource Department when regulating groundwater use. Without this legislation we find the WRD manipulating the interpretation of their authority to a point that causes economic and

environmental injury. In essence, HB 4064 is written to save the WRD and the economies of our Oregon communities from economic damage.

This legislation will require OR WRD to use sound and verifiable science to determine hydraulic connection between groundwater and surface water or other groundwater before they regulate.

The WRD may argue that their computer modeling process is sound verifiable science. I disagree. While computer modeling is a useful tool for groundwater research, it is far from sound and it is often unverified. Instead this computer modeling is often generalized and influenced by science, POLITICAL SCIENCE.

I give you two potential examples in my county where this legislation is important in directing the WRD.

This year there is a list of close to 200 groundwater sources that the WRD plans on regulating off because of “ potential to interfere” with senior surface water rights. Without this legislative directive, this WRD action threatens the surface water flows of the Sprague River that may depend upon groundwater use for irrigation. This is a threat to some of the very best wildlife habitat in the Klamath Basin.

If not this year, than certainly next year, the WRD plans to regulate groundwater use based on the “potential to interfere” with river flows in the wild and scenic portion of the Klamath River. Without this legislation, the City of Klamath Falls will see its groundwater use shut down. Besides providing important potable water to citizens in the city of Klamath Falls, this groundwater is also contracted to provide water to a 550-megawatt cogeneration facility owned by Iberdrola Energy.

In the case of the groundwater regulation that threatens the wildlife in the Sprague River and in Upper Klamath Lake, there may not be economic resources to challenge the actions of our state. Iberdrola Energy and the City of Klamath Falls do have the ability to challenge the actions of our WRD that overreach their statutory authority.

I sum up my testimony with a quote from a famous philosopher, someone who often reminds us to take a broad view of the world.

I quote Pogo :

“We have found the enemy and he is us.” Pogo

Please support HB 4064 through the actions of our governor’s signature.