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It's Your Oregon

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**Testimony to the House Energy and Environment Committee
on House Bill 4016**

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Oregon Environmental Council**

Founded in 1968, the Oregon Environmental Council (OEC) is a nonprofit, nonpartisan, membership-based organization. We advance innovative, collaborative and equitable solutions to Oregon's environmental challenges for today and future generations.

Oregon Environmental Council opposes HB 4016 which undermines the existing flexible process to allow temporary transfers of water within the Klamath Basin while assuring water use is not increased.

A water district water right cannot be transferred to another place of use unless they can prove they have used that water right in the past five years. If the water right has not been used, other water users, including irrigators, fish and wildlife refuges that have been relying on the water left instream could be adversely affected. It is in effect an increase in water use, potentially by long unused claims, in an area that is significantly overstretched. Contrary to all of Oregon's water transfer laws, HB 4016 would allow a select group of determined claim holders in the Klamath Basin to transfer use of water they have not proven to be available, posing a threat to endangered fish, Tribal communities, wildlife refuges and other interests in the Klamath Basin.

In 2015 the Legislature adopted a process to provide Klamath Basin irrigators flexibility, allowing temporary transfers of determined claims to both instream and out-of-stream uses. HB 4016 undermines this process and grants special rights to certain determined claim holders, and we urge you to reject this bill.