

From the Office Of:
Representative Karin Power



Vote NO on HB 2616

**HB 2616 HAS BEEN DESIGNATED A "BILL OF CONCERN"
BY THE OREGON CONSERVATION NETWORK**

HB 2616 would give a free pass to an illegally constructed private reservoir in the Rogue River Basin, setting a bad policy precedent by allowing an individual to sidestep the state's water laws.

- HB 2616 allows a sole property owner to keep a spring-fed reservoir built illegally in the Big Butte Creek watershed without a water storage right, **charting a legislative path for owners of illegal reservoirs locally and across the state to bypass water laws.**
- Big Butte Creek, a tributary of the Rogue River, is over-appropriated year-round — there is not enough water flowing in the stream to meet existing water rights.
- **Big Butte Creek watershed has been off-limits to new water rights for nearly a century.** In 1925, the Oregon Legislature granted to the City of Medford "the exclusive right to use for municipal purposes all the waters of Big Butte Creek...and of the springs at the head which form the creek, and of its tributaries," subject only to water rights in existence at that time. ORS 538.430.
- Big Butte Creek supports federally listed species, including coho salmon. HB 2616 would effectively allow the reservoir owner to **circumvent the required assessment of the reservoir's negative impacts to native fish and wildlife** that rely on the waters of Big Butte Creek.
- In the face of climate change and ever-increasing conflicts over water, providing legislative one-offs to single property owners **undermines efforts to protect and manage the public's waters** in a sustainable and predictable manner.

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Vote NO on HB 2616 because it is bad public policy to allow one landowner to skirt laws that protect municipal water supplies, existing water rights, and public interest values.