

# Memorandum

PREPARED FOR: Senate Committee on Rules and  
Executive Appointments

DATE: May 20, 2024

BY: Leslie Porter, Legislative Analyst

RE: Legislative Review of Executive Appointments



**LPRO**  
LEGISLATIVE POLICY  
AND RESEARCH OFFICE

## WATER RESOURCES DIRECTOR

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The Governor has appointed the following individual to serve as the Water Resources Director subject to Senate confirmation.<sup>1</sup>

### Appointee

Ivan Gall of Salem

### Term

May 31, 2024 – May 30, 2027; serves at the pleasure of the Governor.

### Appointment/Confirmation Authority

[ORS 536.032 \(2023\)](#)

### Statement of Economic Interest<sup>2</sup>

Required.

### Statutory Requirements<sup>3</sup>

The director serves a term of four years and at the pleasure at the pleasure of the Governor. The director must be an individual qualified by training and experience, and either the director or a principal assistant must be a registered engineer experienced in water-related engineering.

### Duties<sup>4</sup>

The director serves as the administrative head of the Water Resources Department subject to the policy direction of the Water Resources Commission.

The director must:

- administer and enforce laws concerning the water resources;
- coordinate department activities related to a watershed enhancement project approved by the Oregon Watershed Enhancement Board with activities of other cooperating state and federal agencies participating in the project;

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<sup>1</sup> [Or. Const. art. III sect. 4](#), [ORS 171.562 to 171.565 \(2023\)](#).

<sup>2</sup> [ORS 244.050 \(2023\)](#).

<sup>3</sup> [ORS 182.100 \(2023\)](#) for affirmative action policy; [ORS 236.115 \(2023\)](#) for diversity criteria.

<sup>4</sup> [ORS 536.037 to 536.050 \(2023\)](#); [ORS 537.143 to 537.765 \(2023\)](#); [ORS 539.010 to 539.350 \(2023\)](#); [ORS 540.020 to 540.995 \(2023\)](#); [ORS 542.630 \(2023\)](#); [ORS 543.078 to 543.255 \(2023\)](#); [ORS 543A.025 to 543A.410 \(2023\)](#).

- prescribe internal policies and procedures for the governance of the department, the conduct of its employees, the assignment and performance of its business, and the custody, use, and preservation of its records, papers, and property in a manner consistent with applicable law;
- conduct hearings and make specified determinations regarding water rights and issue appropriate orders, notices, court filings, and water right certificates;
- appoint members of specified committees and panels;
- appoint and have general control over watermasters for each water district; and,
- be the only representative of this state in administering the Klamath River Basin Compact.

The director may:

- within applicable budgetary limitations, hire, assign, reassign, and coordinate department personnel;
- participate in any proceeding before any public officer, commission or body of the United States or any state for the purpose of representing the citizens of Oregon concerning the water resources of this state;
- enter upon any private property in the performance of the duties of the director, doing no unnecessary injury to the private property;
- delegate to any employee of the department the exercise or discharge in the director's name of any power, duty or function of whatever character, vested in or imposed by law upon the director;
- waive and refund department fees or waive other statutory requirements under specified conditions;
- issue specified water use licenses and include conditions for specified licenses;
- refer certain policy matters to the commission for decision;
- negotiate with representatives of any federally recognized Indian tribe that may have a federal reserved water right claim in Oregon and representatives of the federal government as trustee for the federally recognized Indian tribe to define the scope and attributes of rights to water claimed by the federally recognized Indian tribe to satisfy tribal rights under treaty between the United States and the tribes of Oregon;
- impose civil penalties for specified violations; and,
- establish and assess specified fees.

