

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks

report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

HOUSE COMMITTEE ON  
WATER POLICY

Hearing Room  
Tapes A - 15 A

MEMBERS PRESENT:

Rep. Chuck Norris, Chair  
Rep. Avel Gordly  
Rep. John Watt  
Rep. Jim Welsh

MEMBER EXCUSED:

Rep. Tim Josi, Vice-Chair

STAFF PRESENT:

Pat Zwick, Committee Administrator  
Gail E. Boesch, Committee Assistant

MEASURES HEARD:

HB 2184 - Public Hearing and Possible Work Session  
HB 2419 - Public Hearing and Possible Work Session  
Work Session - Possible Introduction of Committee Bills

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TAPE , A

003 CHAIR NORRIS: Calls the meeting to order at 3:03 pm. Explains intent of meeting, to combine HB 2184 and HB 2419 into single bill, since they are similar.

Opens Public Hearing on HB 2184 and HB 2419 concurrently.

Witnesses: Jan Boettcher, Oregon Water Resources Congress  
Martha O. Pagel, Executive Director, Water Resources Department  
Reed Benson, Doug Myers, WaterWatch  
Kent Madison, Madison Farms

040 JAN BOETTCHER, OREGON WATER RESOURCES CONGRESS: Submits and refers to Exhibit A. Notes preferences in language to be used to combine HB 2184 and HB 2419 into one piece of legislation.

067 CHAIR NORRIS: Requests clarification regarding certificated rights vs. permits.

124 CHAIR NORRIS: Comments regarding draw downs, Section 5, Exhibit A.

131 BOETTCHER: Presents a section by section explanation of proposed changes to HB 2184.

204 - Notes that if recommended changes were made, LC 2231 would not be necessary.

225 CHAIR NORRIS: Regarding sections 10 - 13, separate legislation is being drafted and will be available next week.

235 MARTHA O. PAGEL, EXECUTIVE DIRECTOR, WATER RESOURCES DEPARTMENT: Submits and speaks from Exhibit B, regarding HB 2419. Unsure of proof of beneficial use per Ms. Boettcher. Discusses at length primary vs. supplemental water rights.

- States that, in general, WRD feels HB 2419 deals with issues. More comfortable with HB 2184, but can work with HB 2419.

356 REED BENSON, WATERWATCH: Opposes HB 2419, submits Exhibit C.

TAPE 15, A

045 - Discusses transfer of supplemental water rights.

078 - Comments that he is troubled by sense that permit seems more flexible than water right. Policy problems, drafting problems, raises possibility of benefitting certain kinds of permit holders at expense of others. Urges rejection of bill.

095 KENT MADISON, MADISON FARMS: Submits Exhibit D; speaks regarding development of substituted lands, Section 5 of HB 2419. Explains situation

of irrigation and permits, especially referring to transferring, or modifying a permit.

165 - Feels that he is forced by law to "waste a public resource" by having to irrigate the poorer land now, so he can irrigate the better land in the future.

- Offers "Substitute or modify a permit" as better language (from HB 2419) than current law.

221 MADISON: Comments that language in bill is still not good, but better than existing. Exhibit D includes his suggestions for modification of HB 2419, Section 5.

239 CHAIR NORRIS: Invites Mr. Madison to comment about using Portland's waste water for irrigating.

261 MADISON: Recounts use of waste water and products and notes the  
technology he uses.

275 CHAIR NORRIS: Closes the Public Hearing on HB 2184 and HB 2419.

275 CHAIR NORRIS: Suggests combining HB 2419 into HB 2184. Asks Work Group  
of interested parties to meet and return to House Water Policy with  
proposals in one month.

- Robert Hale letter on HB 2149 (Exhibit E) , LC HB 2184-1 Amendment  
(Exhibit F), and HB 2149 Staff Measure Summary and supplemental  
information (Exhibit G) is submitted for the record.

333 Adjourns the meeting at 3:55 pm.

Submitted by, Reviewed by,

Gail E. Boesch Pat Zwick  
Committee Assistant Committee Administrator

#### EXHIBIT SUMMARY:

A - Testimony on HB 2419 and HB 2184 -- Jan Boettcher , Oregon water  
Resources Congress  
5 pages.

B - Testimony on HB 2419 -- Martha O. Pagel, Water Resources Department -- 2  
pages.

C - Testimony on HB 2419 -- Doug Myers, WaterWatch -- 3 pages.

D - Testimony on HB 2419 -- Kent Madison, Madison Farms -- 2 pages.

E - Letter on HB 2419 -- Robert C. Hale, Hale Farms -- 1 page.

F - Proposed Amendments to HB 2184 -- LC Draft -- 1 page.

G - HB 2419, Staff Measure Summary and Supplemental Information -- Pat  
Zwick, Committee Administrator -- 6 pages.