



SILVIES VALLEY RANCH
EST. 1883

HB 2705: Could Destroy Family Ranches

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- It might be nice to know how much water goes through every diversion, but the cost of compliance could be more than the value of the ranch!
- The cost of buying the “best technology” (which changes frequently) for every water right or diversion is simply a crazy, uninformed idea! A single ranch can have dozens and dozens of water rights. OFB estimates average cost of compliance range from \$1,000 to over \$20,000 per water right or diversion point! Our experience indicates this is on the light side.
- Many water rights are on small ephemeral or intermittent streams – these small streams are very hard to measure water flow, which means it costs much, much more to measure them than a single gauge on a well. However, we have set up flow devices for an OSU study and probably have more experience than anyone else in the state, if not the nation, in measuring these streams. In our experience, the cost to measure one of these small streams far exceeds \$20,000 for each diversion and the annual monitoring and maintenance costs are also staggeringly expensive. The cheapest measuring device that we have on any stream on our ranch today that would qualify under this law, costs the ranch about \$10,000 annually to maintain and gather information from and cost over \$25,000 to purchase and install (50/50 split with OWRD).
- Finally, \$500 penalties per diversion per day are overly onerous and mean-spirited. They are used as a weapon by bureaucrats to force landowners into submission and are unrelated to any actual damages or reason – any penalties should be reasonable, especially ones that really cannot be practically appealed (such as this one).

HB 2705 is a bill that tries to solve a real problem, but is not workable or affordable. More importantly, nobody really knows how to properly evaluate the data it would generate or how to measure the amount of water that goes back into the stream at the other side of the field.