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House Subcommittee on Water, Power and Oceans

Regarding

"Empowering States and Western Water Users Through Regulatory and Administrative Reforms"

April 13, 2016

Mr. Chairman, Ranking Member and Members of the Subcommittee, on behalf of the Strawberry Water Users Association (SWUA) and The National Water Resource Association (NWRA) we want to thank you for allowing us to provide written testimony for this oversight hearing on "Empowering States and Western Water Users Through Regulatory and Administrative Reforms."

The Bureau of Reclamation (BOR) was a very important part of the 20<sup>th</sup> Century in the West. Those of us in Utah and elsewhere in the West have access to water storage, hydropower and water-based recreation due largely to the investment in dams, reservoirs and water conveyance facilities made by the Federal Government.

Water and power users for more than a century have paid for their fair share of these projects and, in many cases such as with us at the Strawberry Water Users Association, operate and maintain our facilities very efficiently, with the local input of the water users and solely with local funds. In many cases, as with the SVP, the Federal Government has been repaid for the entire cost of constructing the project. Full repayment of the SVP was made in 1974.

Times have changed since the early and mid-20<sup>th</sup> Century. With limited federal budgets and an ever-growing federal regulatory presence, we applaud the Chairman for his leadership in looking at alternatives to federal ownership so that these local users can have control of their destinies through more efficient management of the projects.

Title transfer is a very important tool to providing us with the opportunity to reduce costs, control our economic futures and move management decisions to what is good for the constituents of the project rather than waiting for approval from Washington, DC.

In Utah, I am happy to say that we have strong support for this important legislative tool. Our friends to the north of us at the Provo River Water Users Association (PRWUA) have a great case study of how title transfer can be a win-win. PRWUA wanted to enclose what was an open canal within the Project to save money, water for people and key wildlife species as well as improve public safety, but federal ownership was the barrier preventing them from financing the needed project improvements.

Congress acted to pass authorization in October of 2004 for title transfer so that PRWUA could move forward to achieve their objectives and the federal government won by no longer having the regulatory burden associated with project.

Having watched the process very closely which took well over a decade to come to completion, I can tell you that the current process is anything but easy. The local water users had to navigate through a complex, costly and time-consuming federal process, opposition from a number of entities and ultimately had to get Congress to pass two separate bills signed into law to get it done. This process proved to be far too time-consuming and costly to Utah ratepayers.

As I stated earlier, there is very strong support for title transfer in Utah. In the most recent session of the Utah State Legislature which just wrapped-up in March, H.J.R. 4 was passed which urges Congress to support the efforts of Utah water-user organizations to secure title transfer of water projects and the accompanying water rights currently under the control of the Federal Government. H.J.R. 4 specifically mentions support for a number of title transfers where there is interest in pursuing title transfer including the Strawberry Valley Project, the Moon Lake Project, the Emery County Project, the Sanpete Project, and portions of the Provo River Project.

Title transfer can be a win, win for both water users and the federal government. Water users are empowered and given the opportunity to run a more efficient operation and the federal government gets repaid, has less to manage and reduces its liability. Despite this mutual benefit, my understanding is that over the past thirty years there has been less than 30 title transfers signed into law. With austere federal budgets and the need of local water users to better control their operations and maintenance costs as well as the most vital resource determining future economic development, now is the time for this important tool to be used by Congress.

Mr. Chairman, we greatly appreciate you and the Chairman of the Full Committee Rob Bishop taking such a powerful leadership position in advancing this vital tool for local water users to allow us to harness the leadership and innovation that we all have on the ground.

Thank you very much for the opportunity to testify today and I look forward to answering the Subcommittee's questions.