

News Release

IDAHO WATER USERS ASSOCIATION, INC

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IWUA EXECUTIVE DIRECTOR TO TESTIFY BEFORE CONGRESS ON TITLE TRANSFER ISSUES

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**Paul Arrington,
IWUA Executive
Director and General**

Paul Arrington, Executive Director and General Counsel of the state’s largest water user group, will testify tomorrow (Jan. 17, 2018) before a U.S. Senate Subcommittee on Energy and Natural Resources regarding the Bureau of Reclamation’s (Reclamation) title transfer process, the Idaho Water Users Association announced today.

Arrington will testify before the Subcommittee starting at 8:00 a.m. local time. His comments are available on the IWUA website – www.iwua.org.

Title transfers allow Reclamation to convey ownership -- or title -- to water projects, canals, laterals and other related infrastructure and facilities from government ownership to the organizations that operate and maintain those facilities.

Idaho has a rich history of successful title transfers – including the first successful title transfer in the nation to the Burley Irrigation District, in 1998. Since that time, three other organizations have succeeded in obtaining title to their facilities (Nampa & Meridian Irrigation District (2001), Fremont-

Madison Irrigation District (2004) and American Falls Reservoir District #2 (2008). At least four other Idaho organizations are in varying stages of the title transfer process.

Title transfer allows for local control of Idaho’s water resources. It reduces federal costs and liability associated with owning aging infrastructure. It allows operational decisions to be made in a timelier and more cost-effective manner. Financing for maintenance and rehabilitation is more accessible.

Although the benefits of title transfer process are clear, it can be improved. “Unfortunately Reclamation’s title transfer process is an onerous, enormously time consuming and highly expensive process for Idaho water users, due primarily to environmental review under the National Environmental Policy Act (NEPA) process. That has been a huge deterrent for many Idaho water users,” Arrington said.

Ultimately, in addition to the costly environmental review, title transfer requires an act of Congress. Further, those seeking a title transfer risk losing access to the reduced-cost power (called “project power”) that allows them to remain competitive in times of declining crop prices.

The IWUA Executive Director cited three specific examples of the time and money involved in the current title transfer process.

- The Burley Irrigation District title transfer took 8-years to accomplish.
- The Fremont-Madison Irrigation District title transfer took nearly 10-years and \$300,000.
- The Nampa & Meridian Irrigation District title transfer required nearly 10-years and over \$200,000.

“The process must be streamlined to eliminate these unreasonable time demands and at the same time made far less expensive. The Senate is looking for ways that it can do just that,” the IWUA official added. “I would anticipate that some new legislation will be drafted to streamline the title transfer process.”

In his testimony Arrington will present the Subcommittee members with three specific suggestions on how to improve things:

1. Not every title transfer should require full NEPA analysis. Some simple title transfers, particularly single use projects and those projects that will continue operating in the same historical manner should not be subject to the same rigorous NEPA analysis required for complex title transfers.

2. Not every title transfer should require an act of Congress. Reclamation should have the authority to complete simple title transfers “in house”. This would further allow for quicker, less expensive processing.

3. Access to project power should not be eliminated because of title transfer. Farming and ranching operations throughout Idaho rely on project power to maintain their economic viability. The loss of project power would significantly increase the cost of delivering water.

“I am excited and grateful to have the chance to represent Idaho on this important issue. It is a unique chance for our voice to be heard by the people who have the power to make important changes that can make the improvements so badly needed here at home. I am pleased that the Senate is looking for ways to resolve these issues,” Arrington explained.

The Idaho Water Users Association consists of approximately 300 irrigation districts and canal companies, agri-businesses, public water supply organizations, professional firms and individuals from around the state that manage water supplies for more than 2 million acres of irrigated Idaho farmland.

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