



September 20, 2017

The Honorable Jerry Brown
Governor
State Capitol, Suite 1173
Sacramento, CA 95814

RUSSELL KAGEHIRO
President
Division V

TIM MAGGIORE
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Division VI

JEFF BROWN
Director
Division VII

RICK GILMORE
General Manager
Secretary

**RE: Request for Signature on Assembly Bill 313 (Gray) – Water Rights
Fairness**

Dear Governor Brown:

On behalf of Byron-Bethany Irrigation District, I write in support of AB 313, landmark water rights fairness legislation introduced by Assemblyman Adam Gray (D-Merced). This good governance bill will restore fundamental fairness currently lacking in California's water rights management. AB 313 passed the Legislature with strong bipartisan support and awaits your signature. We urge you to sign it into law without delay.

AB 313 ensures water rights holders are afforded the same basic objectivity and due process our justice system promises *all* – nothing more, nothing less. The bill establishes a new water rights management structure, requiring that specially trained administrative law judges conduct water rights enforcement hearings. This intermediate transfer of power ensures a neutral body will efficiently adjudicate complex, often controversial, and critically important water rights matters.

Currently, the State Water Resources Control Board (SWRCB) writes regulations, initiates enforcement actions, and conducts water rights hearings. As a result, many water rights holders feel coerced to settle administrative actions initiated by the SWRCB, rather than seek a resolution in the present process.

AB 313 establishes a Water Rights Division in the Office of Administrative Hearings (OAH) to handle all water rights enforcement matters. Specially trained administrative law judges will conduct hearings and submit a decision to the full SWRCB for adoption or amendment, a shift ensuring everyone is treated with the level of fairness our Constitution requires. The Senate Judiciary Committee recognized that the bill improves existing law while making no impact on environmental protections. AB 313 removes conflicts and inefficiencies, and guarantees hearings are run with requisite legal expertise.

The bill received overwhelming bipartisan support through the Assembly and Senate, a clear sign that the issue resonates across the state. The procedural structure it creates is similar to that recently adopted for the Board of Equalization.

Nothing in AB 313 guarantees a better outcome for the water rights holder. It doesn't pick winners or losers, nor does it favor one constituency over the other. It simply allows for the constitutional protection of due process to be afforded to the state's water users.

I urge you to act immediately to sign AB 313 to make our water rights administration function more effectively, efficiently and fairly.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Rick Gilmore". The signature is fluid and cursive, with a large initial "R" and "G".

BYRON BETHANY IRRIGATION DISTRICT
Rick Gilmore
General Manager