

Watts Remy

From: Paul Lipscomb <judgelipscomb@icloud.com>
Sent: Tuesday, April 2, 2019 9:20 AM
To: Sen Dembrow
Cc: Sen.AlanOlsen@state.or.us; sen.CliffBenz@oregonlegislature.gov;
Sen.FloydProzanski@state.or.us; Sen Roblan; SENR Exhibits
Subject: SB 946

I write to oppose SB 946 in its present form, including the -1 amendments.

I am a resident of rural Deschutes Co. Water, and every aspect of water regulation, are of vital concern to everyone living on this side of the mountains. And every decade those concerns become ever more critical.

Currently water storage occurs on both private and public lands. It provides not only water for irrigation, but also for public and private recreation and scenic beauty. It also provides water for our wildlife in the absence of natural sources, particularly in times of drought. The location of water storage is for these reasons alone a public concern. And the public should have a fair opportunity to be heard prior to the transfer of water storage from one place to another.

But we should all remember that all water in Oregon belongs to all of the people in Oregon. Water is a public resource and it remains a public resource even after it has been privately appropriated for a permitted water right, including a storage right. The public should be allowed an opportunity when a private entity proposes to transfer the storage of public water from one place to another. This is no longer the Wild West when anyone and everyone was encouraged to exploit public resources and appropriate them to their own private benefit.

The right to store water privately on private property is a very beneficial right, and it bestows benefits not only the holder of the storage right, but also on neighboring property owners who may well have paid a premium for view property. All too often that premium would have been paid to their neighbor who sold them the property while retaining the land on which the water is stored. Those neighbors should have an opportunity to be heard before the place of water storage is moved from one neighborhood to another year their neighbor.

This bill would effectively close off any meaningful opportunity for any individual member of the public who might wish to be heard in opposition to the move. Members of water conservation groups and wildlife support groups would be similarly adversely affected by the passage of this bill in the present form.

Please make this letter in opposition a part of the legislative record on this bill.

Thank you,

Paul Lipscomb

PJL