

Watts Remy

From: Stephen Lister <bigwhitedogsal@gmail.com>
Sent: Tuesday, April 2, 2019 9:10 AM
To: SENR Exhibits
Cc: Mark McDowell
Subject: SB 946 relating to transfers of storage rights

Senator Dembrow, Chair; Senator Olsen, Vice Chair; Senator Bentz; Senator Prozanski; and Senator Roblan,

We oppose SB 46 since it seeks to modify the transfer process for uses of water to hereafter additionally allow landowners to create new water storage structures on their property, using water that is currently stored elsewhere in permitted reservoirs, such as irrigation district reservoirs, without obtaining storage permits of their own for new reservoirs. Current law serves the public interest well. We are not aware of any legitimate project for which a transfer of permitted storage at an existing site should be moved to another site. SB 46 would harm the public interest. It would allow the current framework requiring a significant public interest review by the OWRD before new water storage facilities can be created or supplied with water for storage to be bypassed and the public interest to be harmed.

We are a water patron of Tumalo Irrigation District. Since 2014, our developer neighbor has circumvented the requirement of the law to seek and justify a water storage permit of its own by having excavated and constructed two lined reservoirs for water skiing and other strictly private uses that, until remediated, will have permanently destroyed and removed many acres of wildlife habitat in the Tumalo Deer Winter Range. They are using water transferred to it by our irrigation district which the OWRD ordered in 2015 was not allowed. There was no opportunity for public review or participation in what the developer and the district did.

Public agencies have not yet effectively acted to correct this situation. SB 46 would sanction the privatization and monetization of stored water, such as the parties in the situation mentioned above having been seeking to achieve. It would encourage more instances of parties that want to use water in ways that are contrary to the public interest to do so and to stay under the radar. Rather, storage of water in new locations should be governed under existing law. The place of water storage should not be allowed to be changed at the whim of current holders of water storage permits.

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