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February 11, 2021

To: House Committee on Water; others

Re: I OPPOSE [HB 2244]...*Make Water Rights amenable to the Tribes, the Farmers and the Ranchers!*

[HB 2244] serves to empower government executive entities for being the sole source arbiters of decisions reserved for the Judiciary. [HB 2244] is a little heavy on the "Assigning or Taking" of "Water Rights" without any regards for "Due Process." The Courts should determine "Due Process and Takings" issues.

The "Tribes Water Rights" must be protected. The Tribes should not have to hire legions of Attorneys to protect which was conferred upon them many years ago by our government; that spoke a word, considered honorable by the Tribes. However, our government used "a congenital forked-tongue" in their treaty deals with the Tribes. Over the years, "the congenital forked-tongue" used by the government, with respect to the Tribes rights has become; "an institutionalized for convenience and expediency, forked-tongue" with absolutely no regards for the bad dealings of the past and or for the bad deal we see thrust before us in [SB 2244].

You cannot correct a wrong by invoking [HB 2244] and using [HB 2244] to create additional wrongs.

"A House Divided Against itself Cannot Stand!"

Taking away the 5th and 14th Amendments to our sacred Constitution which so uniquely characterizes [HB 2244] is patently unlawful. The authors of [HB 2244] know this which means the use of the forked-tongue" is still used. If [HB 2244] is codified in law it most certainly will be struck down by Los Supremos.

"Whenever you substitute convenience and expediency for the law, you give license to injustice."

The rampant expansion of Oregon cities through Legislative shenanigans as referenced and incorporated into; [SB 16], [HB 2708] and [HB 2160], their corresponding insatiable demands for water are not part of this discussion. Why not? They are the driving force responsible for the destruction of the Resource Economy.

Residential Development associated with [SB 16], [HB 2708] and [HB 2160] can and will alter in-stream flows by Publically Owned Treatment Works (POTW) and especially, the intent for more rural housing encouraged by the System Development Charges-"gifts" to residential developers referenced and incorporated into [HB 2701]. Everyone and The Tribes should be extremely concerned about residential and economic development of rural lands and corresponding water demands.

The access to water to support the Resource Economy requisite for; The Tribes, in-stream fishes, farmers and ranchers to prosper, is being dramatically and intentionally endangered by; the callous indifference of legislators practicing the dance colloquially and appropriately referred to as, "The Salem two-step."

The Resource Economy: [Agriculture, Timber Products, Fisheries and Mining] are in serious danger.

If the Resource Economy collapses, so will the entire economy of the State of Oregon.

Rewrite Legislation to appease the; The Tribes, the in-stream fishes, the Farmers and the Ranchers.

Respectfully submitted,
/s/ David S. Wall

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