

MIKE KNOELL

(541) 419-9312 (Cell)

P.O. Box 1860 Bend, OR 97709

(541) 317-5128

mcknoell58@gmail.com

(541) 317-3590 (Fax)

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Committee Members
Committee on Rural Communities, Land Use, and Water
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Salem, Oregon

Members:

In 1996 I subdivided a parcel of land in Deschutes County, near Bend, into residential lots. Several of the proposed lots had frontage on Pilot Butte Canal. Because of the proximity to the canal, Deschutes County required that Central Oregon Irrigation District sign the final plat. The manager of COID refused to sign my plat unless I fenced off their entire easement.

A couple of things to keep in mind:

1. I owned to the center of the canal ... they only had an easement.
2. The proposed fence would have removed about one third of the useful land for each canal front lot.
3. The reason the county required the irrigation district to sign the plat was to ensure that any water rights on the property had been properly removed. They had no right to try to extort concessions from a property owner.

But if I wanted my plat signed, I had to work with them. So, an agreement was reached that they would not require the fence, and that neither party would place any structures in the easement.

Now COID wants to pipe part of Pilot Butte Canal, and I am in court with them because they do not want to live up to our 1996 agreement. And why not? They say neither the manager of COID at that time who signed the agreement, nor the Board of Directors that authorized it, nor their attorney who wrote it, had the right to do what they did. This is the same kind of agreement their Board and Manager have executed several times a year, every year, year after year.

COID, like several other irrigation districts in Oregon, believe they are above the law. They are the last entities that should be granted additional power. In the past, they have consistently abused the power they have.

Please do not vote to move House Bill 2894 forward.

Very Truly Yours

A handwritten signature in blue ink, appearing to read "Mike Knoell", written in a cursive style.

Mike Knoell