

## Smith Holly

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**From:** Brandan <brandan@flyingsalers.com>  
**Sent:** Monday, March 20, 2017 12:32 AM  
**To:** HEE Exhibits  
**Cc:** Rep Helm; Rep Power; Rep Johnson; Rep Holvey; Rep Barnhart; Rep Reschke; Rep Smith D; Rep Bentz; Rep Boone  
**Subject:** HB 2705 and HB 2706

Dear Chair Helm and Members of the House Committee on Energy & Environment,

I am opposed to both HB 2705 and HB 2706. Giving OWRD the right to tax every water right in the state is not a good idea. For a lot of small family ranches such as mine that will be a massive bill. For various reasons our water rights and those of a lot of other small land owners were set up as numerous smaller rights instead of a single big water right. So instead of a single \$100 dollar fee, what this proposes will be in the thousands of dollars.

Then for a given piece of land there can be several water rights with different dates and uses. As I understand it this bill will allow the exact same land to be taxed several times. In our case there is land that could be taxed 5 or 6 times for different uses and dates.

As written this could be a massive bill every year that could compromise this family Ranch's ability to continue to irrigate. I could see the bill being so high on some land that people would be forced to give up water rights.

Then I wonder what they are going to do with the money generated. In the last 20-30 years the OWRD has not done any good science. Their science that has been checked by outside experts has often been proven to not be replicable, that is the ultimate insult for a scientist, normally means doctored records. In fact they have gotten so brazen about using bad science that they are currently in court about their science and it appears they have no intention of giving up their faulty computer models and doing real science. Even if this bill did not put such a tax bill on small family farms and ranches I would oppose it until something was done to give assurances that the money would be spent on real, on the ground science vs computer models which are being proven to be massively inaccurate the way they have been implemented by OWRD.

As for measuring devices on diversions, that langue is way too vague. On our family ranch and those of my neighbors we are not like a water district. A lot of our irrigation was installed by the government in the early 1900's and it works with nature. They did not make a massive ditch with a single headgate that is easy to measure. Instead there are dozens of small diversions that work with the environment. There is no way to cost effectively install measuring devices on each one of those. Then if a single gauge should get messed up, we can be fined \$500 a day? Say four of the dozen gauges get out of calibration(which happens all the time on the official gauges that the state maintains) and no one notices for a month. That is \$62,000 fine. That would break us.

In summery I am against both HB 2705 and HB 2706 as they both put my family ranch at risk of being force out of existence with the undo extra costs. I also have no faith that the money collected will be spent wisely.

Thank you for your time.

Brandan Topham

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