

Smith Holly

From: Robert Blake <robert_blake@fastmail.fm>
Sent: Monday, March 20, 2017 12:05 PM
To: HEE Exhibits
Subject: Fwd: HB 2705 and HB 2706

Please note I had also intended to send this email to this email address at the same time as below.
My apologies.

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Robert Blake

----- Original message -----

From: Robert Blake <robert_blake@fastmail.fm>
To: Ken Helm <rep.kenHelm@OregonLegislature.gov>, Karin Power <rep.karinpower@oregonlegislature.gov>, Mark Johnson <Rep.MarkJohnson@oregonlegislature.gov>, Paul Holvey <Rep.PaulHolvey@oregonlegislature.gov>, Phil Barnhart <Rep.PhilBarnhart@oregonlegislature.gov>, "E. Werner Reschke" <rep.ewernerreschke@oregonlegislature.gov>, David Brock Smith <Rep.DavidBrockSmith@oregonlegislature.gov>, Cliff Bentz <Rep.CliffBentz@oregonlegislature.gov>, Deborah Boone <Rep.DeborahBoone@oregonlegislature.gov>
Cc: srcrt@googlegroups.com
Subject: HB 2705 and HB 2706
Date: Mon, 20 Mar 2017 10:26:41 -0700

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 an extremely bad idea. For a lot of small family farms and ranches this will be a massive bill. For various reasons many ranchers and small land owners' water rights 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 could turn into thousands of dollars. I would also like to point out that as written, *these bills could also apply to all domestic use wells*.

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. For many of my neighbours 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 many people's ability to continue to function. I could see the bill being so high on some land that people would be forced to abandon property rights. Is this the intended goal?

I also wonder what the OWRD is 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, which is the ultimate insult for a scientist. It normally means faulty methodologies and/or doctored data. In fact the OWRD has 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 use of their faulty computer models and doing real science involving actual field work and real world measurements.

Even if this bill did not put such a tax bill on small land owners I would oppose it until something was done to provide assurances that the money would be spent on real, honest, on the ground science, vs.

computer models which are being proven to be massively inaccurate in the way they have been implemented by the OWRD.

As for measuring devices on diversions, that language is way too vague.

Many properties do not involve one massive ditch with a single headgate that is easy to measure. Instead, there may be 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 malfunction, land owners can be fined \$500 a day?

That is completely beyond any concept of "reasonable". Say three out of a dozen gauges fall out of calibration (25%, which happens all the time on the official gauges that the state maintains) and no one notices for a month. That is \$45,000 fine. That would break a majority of small land owners.

In summery I am strongly opposed to both HB 2705 and HB 2706 as these not only amount to an additional administrative property tax, but these bills are a grave threat to property rights and financial survival of most rural small land owners in Klamath County. Because as written, these bills could also apply to all domestic use wells. I also have no faith that the money collected will be spent in a constructive way, but will most likely be used to further oppress (rather than help) rural land owners in Klamath County. Again I ask, are these your desired intents?

Thank you for your time.

Robert Blake

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