

Doug Miller

These are comments as an individual with opinions.

Moving water downstream to provide for use of water in a similar capacity is of some degree acceptable. To move water downstream and out of basin, especially when it moves out of a political boundary such as Counties, becomes much more untenable. For we know what has become the past, and the present is accountable, but the future is that of which we can only guess at. What might be the domain of a cattle industry in the highlands of this State could one day be a resort community or become a niche industry that requires water in order to be financially viable. Even water that just flows past and is not really consumed becomes a recreational value or a spawning value in the effect of cooling the water.

If water is in a pool (such as in behind a major river dam), water should be able to be used from the same pool, be it at the head or the tail or body of the pool, until such time the physical barrier separates the pool from its movement downstream. This would include different uses than the original right, as long as the amount over time remains the same. And it should be without loss of any of the original right, as that in effect is theft under a legal jargon that is not of merit.

For an instance: it is acceptable in a basin to have someone voluntarily relinquish their water in the hopes of saving water for fish high up in the spawning grounds of a natal river, inclusive of the water required to keep the water that is consumable and that which is consumed, and then that the water is removed because there is a junior water right that was needing fulfilled, and thus all that water is lost to the fish in only a few short miles of river. Legally perhaps. Morally or Ethically it fails the smell test. So when we discuss water being moved or transferred or put in trust, we need to verify the expected results to the public and to the originator to be certain this is what we want as citizens of our State.

More discussion: why not work with public entities for saving water that is not volunteered to be relinquished. For instance, how many saw mills have stopped employing workers, and have shut down due to poor pricing in available products. When the mill shuts down, the workers have a choice to live on where they are or move on. And what about the water? Should it go to the community without having to struggle thru the hoops of Ecology or the courts? Thinking that this water has been spoken for over many decades and the river system was doing fine as the water being used was not an impact, nor is the water being returned creating an increase in flow that could be accountable for. While not every situation such as this is for every person, it should be an easy option for the community to retain that water for future hopes. Maybe put into temporary to permanent if nothing is done to make a use of the water after a number of years (20 years?) and only then after a hearing to determine that there has not been a sufficient effort to find a use for this water.

By keeping water within a basin, it keeps the opportunity for our citizens to have a future. Removal of the water, or transferring to lower basins may help an individual or industry, but it has taken the fiscal opportunities away from the communities or Counties, solely due to their location as headwaters.

Allowing purchasing by anyone for future gain as equity should be nixed. The water law was instituted to address use and consumption by the citizens of this State, in a fashion that was based on seniority: that which was to allow future use of the water by the next user and the continued productivity that the water can provide.

On a different subject. The big ditch that flows across the middle of this State needs to be continued and expanded. Observation is that without the flow from the big ditch, the allocation of groundwater is creating a future harm to the communities that rely on a known quality of water to provide potable water to the citizens. Large commercial and agribusinesses are consuming this vital resource that would be much better served by a replenished stream of water that is readily available and does not require the typical treatment process that a community would need to use if that was available.