

WPUA Water Committee Chair

"Water should be seen as a resource overseen by the public to assure effective and efficient use of a public resource. Private investors affect political decisions that are not transparent nor regulated." This statement came from a P.U.D. Commissioner from the eastside of the Cascade mountains in our state!

The Webster's dictionary definition of "usufruct" is:

In Roman & Civil Law, the right of using and enjoying all the advantages and profits of the property of another without altering or damaging the substance. Utilities are a form of civil usufructuary function in our society, whose operation needs to be kept accountable to the public. Water rights, their transfer downstream or use as a speculative commodity has the potential to deprive our state's citizens of the right to an effective and efficient use of a public resource that benefits us all.

Western water law was created in a different time and for a different purpose than what we have now become. I often feel that the use of it to properly manage today's water resource issues is much like a person handicapped by a head looking backwards to the past while attempting to walk into our future. Let's not try to hide our head once more in the sand here, speculative use of water by foreign investors is rampant and broadly known in the west. Recently, in a televised special on the subject of water it was revealed explicitly that Persian Gulf states have invested in extensive groundwater mining in Arizona to grow alfalfa depleting the state's groundwater reserves.

I have heard very little mention of a public resource in our discussions thus far! While many seek some sort of profit from either holding, trading or speculating in these uses of water. I will warn property owners who depend on water for the effective use of their property. If you encourage or allow the unheeded speculation of a vital resource that prevents access to that vital resource by the rest of our citizens through over burdensome costs, **YOU WILL LOSE THAT RIGHT.**

I view water rights more as a privilege that everybody needs and legally I view it much like driving. That is a privilege that when one poorly impacts the public, it can be taken away! So far I've seen an interest in preserving the retention of the value of water rights appurtenant to property as an extension of property rights. I have heard nothing about protecting the state's waters from alteration or damages of that important resource. I feel if we now require municipal water entities to engage in water conservation measures, we must also follow suit. All transfers, changes or exchanges of a water right should also have a requirement to implement water conservation measures to improve the condition and durability of that public resource from which we all depend upon.

There is no doubt that over allocation exists in many basins, with more on the way. Does Ecology wish to promote a dustbowl in order to sustain a positive direction to move the management of water resources into the future? Depleted aquifers are a serious matter that have to be addressed before restoration will no longer be able to match the original condition of that resource. Managing our water resources in a rapidly growing state presents some challenges in what our state laws must now prioritize for public use. I hope our regulatory authorities and state lawmakers

can see the value of getting ahead of the protection of our state's water resources. The public at large expects no less from us all.
Chris Stearns Thurston P.U.D. Commissioner