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Sent: Tuesday, June 14, 2016 9:00 AM
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Cc: Gary L. Peterson; Jason Siegert (jason@skfarmshillsboro.com); bonnie@polarcomm.com; Gary Thompson (gwt2016@gmail.com); Andy Neset (ajneset@hotmail.com); Jason Lovas (jasonlovas@gmail.com)
Subject: Quick-Take Critical for Water Resource Districts

The Traill County Water Resource District would like to express our support for the continued use of quick-take and submit with respect the following comments to the Water Topics Overview Committee with regard to the ongoing quick-take study:

Quick-take is critical to water infrastructure development in the state. Water managers are landowners themselves and do not take their eminent domain authority lightly; in fact, WRDs use eminent domain sparingly and only as a last resort to construct important water projects.

Quick-take only impacts the timing of access; quick-take does not impact landowners' rights to challenge the legitimacy of a water project or to challenge the amount of compensation offered to the landowner for their right of way. WRDs have a legal, statutory obligation to negotiate with landowners, and will do so for months in an effort to avoid eminent domain. If Water Resource Districts determine to proceed with quick-take, they continue to negotiate upon filing a deposit in the amount of the final offer with the court in hopes of resolving the matter.

WRDs have not abused their quick-take authority since the legislature granted it in 1989 (and strengthened it in 2009). Without this important tool, WRDs will face even more difficulty building important water projects. In fact, without quick-take, a single hold-out landowner could kill a water project or could, at the very least, cause substantial delays, adding significant costs to the project and denying other landowners the benefit of a project they voted to construct.

We constantly hear the calls in this state that state and local governments must do more to combat flooding and to reduce flood damages. We believe eliminating quick-take authority for WRDs is a step in the wrong direction.

Thank you.

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