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# Acquiring water rights is investing in certainty

In the era where the state's appetite for water now exceeds its ability to store rainfall, frequent and prolonged drought, water rationing, urban fire storms, and Pacific Gas and Electric Co. power stoppages, Tuolumne Utilities District finds itself in a unique and enviable position of being offered the chance to own the most senior water rights on the Stanislaus River. These pre-1914 water rights are as critical to our county's prosperity and growth as the water they are based on. This is because California water law recognizes a pecking order. Those with the oldest rights get the water first. Our chance to sit at the head of the table is a result of TUD's long-time working relationship with PG&E. This is literally a once-in-a-century chance to own rights to the water that flows



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through our county.

The truth is the Stanislaus River is over-subscribed. No one gets in unless you have a federally recognized and legal right. If we don't seize this opportunity and take advantage of this offer, a for-profit company could purchase these senior water rights from PG&E. Then we would be at the mercy of an outside buyer who could take over our contract with PG&E. We would be in the same position we've been in since 1914 of watching water we don't own flow out of the county. We would be gambling on our future, as we face enormous water uncertainty, unreliable rain-

fall, impossible-to-fight fires, virus shut-downs, food insecurity and no second chances. By owning senior water rights we have a fighting chance to protect our livelihoods, property values, and way of life. Do we want to gamble on our future and be at the mercy of an outsider who takes over the water rights? This is about investing in certainty, so that our children's children will not have to worry — because we invested in water security.

As many now know, PG&E wants to divest itself of these rights and has approached TUD about working with us to acquire their senior water rights along with certain hydropower assets. TUD and PG&E are currently in negotiations and are jointly committed to making this transfer a success. We are currently in the preliminary

stages of a negotiation which will take several years to complete. Will it cost the community something? Yes. Like buying life insurance, we will be investing in our future not someone else's. By all accounts, it will cost our community more when we run out of options. What does the investment in certainty mean? It means we are ensuring our county's future growth, economic well-being, agricultural diversity, livelihoods and self-reliance.

The value of water is immeasurable. We may regret that our predecessors did not make this investment, but now we can. With such high demand for the state's water, our self-sufficiency must include owning senior water rights to the Stanislaus River. We must guard against the attempts of those with political

and financial clout to grab the water that originates here, or a false sense of security that we have all the water we need and nothing to worry about.

TUD's water rights attorneys have looked at our current water contract extensively within the larger context and have concluded either we pay and own the water, or we pay someone else who owns it. Now with the "first in time, first in right" laws, owning senior water rights will put us first in the legal pecking order to obtain Stanislaus River water, improving our drought immunity far more than we ever could imagine. What is this worth to our community?

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