

**From:** Norm & Pam Malmberg <pandn42@sisqtel.net>  
**To:** <commentletters@waterboards.ca.gov>  
**Date:** Sun, May 7, 2006 9:13 PM  
**Subject:** "Comment Letter - Sediment and Temperature TMDL in the Scott River Watershed."

State Water Resources Control Board  
Sacramento, California

Gentlemen:

The following alert on your apparent intended actions concerning water rights & my personal feelings on that subject which have been sent to Assemblyman LaMalfa & Governor Schwarzenegger are forwarded for your information, enlightenment & edification.

Norman R. Malmberg

Sent: Sunday, May 07, 2006 5:48 PM  
Subject: Water Board Proposes Reducing Water Rights

Dear Assemblyman LaMalfa,

My close personal friend, just forwarded to me a short article which causes me great alarm. It is reprinted below:



6/7/06 Bd Mtg: Scott River-  
Item \_\_ Deadline 5/10/06

### Water Board Proposes Reducing Water Rights

The State Water Resources Control Board has proposed to adjust water rights in order to solve water quality conflicts in the Scott and Shasta Rivers. They would limit water access to control river flow to protect fish habitat. If the Board decides to attack farmers' and ranchers' water rights in this manner, it would be a major blow to the civil rights and economic viability of farming communities all over the state.

A ruling in the Scott Valley Watershed will set precedent for other bodies of water across the state, including but not limited to the San Joaquin River, the Russian River and the Salton Sea. Take action today to protect California's family farms and ranches.

The deadline for submitting comments is 5PM on Wednesday, May 10, 2006.

I do not understand how the State Water Resources Control Board can unilaterally, without apparent due process, threaten to reduce water rights, rights which pass with the land & have so passed for generations. And I resent this intrusion by these officials upon the lawful rights of farmers & ranchers. Furthermore, I also resent those misguided individuals who call themselves the only true Native Americans whose rights take precedence over these water rights.

I am just as much a Native American as they, albeit a Native American Swede. I am a native born citizen of this Nation. My great grandfather "lawfully immigrated" from Sweden to this land in 1868 & in 1870 he homesteaded in southwest Iowa where for 4 generations & 104 years my family lived & farmed. I was raised on that original homestead. And I know the attitude of my father & grandfather if their property rights would have been threatened by anyone. They would have fought with every fiber of life & limb to protect those Constitutional & God given rights. My father did not cotton to trespassing by anyone, be they a private individual or a misguided, autocrat or government official. His attitude was that those officials all were public servants & as such they answered to him & his neighbors, not he to them. And he would not hesitate to remind them if he felt it so justified.

I think that the pendulum of government authority has swung far enough in the wrong direction. That has become all too plain to me when I have confronted local County officials that they are public servants and they respond indignantly that they are not! Rather they are "highly paid public officials". After all, our Constitution states that our elected & appointed representatives obtain & retain their authority & powers from the consent of the governed. And it should be obvious to any of them who will listen, that they do not have the consent of the governed to take or even threaten to take water rights away from those who lawfully & rightfully retain them.

These arrogant officials seem bent on actions contrary to lawful rights, actions destructive of agriculture which will only have detrimental consequences. Agriculture has been the backbone of our

nation's economy & strength. And although the advent of technology has brought other industry of major positive impact to our nation's economy, it never will replace the importance of our agricultural industry which feeds much of the world's people.

I beseech you, I implore you to take aggressive actions to set these misguided autocrats straight. Remind them to whom they really answer, to whom they are accountable. And to even sponsor legislation, if necessary, enabling their removal & replacement.

Sincerely,  
Norman R. Malmberg  
1938-1956 Iowa farm boy  
1956-1960 ISU, BS Math, Commission U.S. Navy  
1960-1990 U.S. Navy, Captain, USN(Ret)  
1975-2006 California Real Estate Broker  
dba "NORM MALMBERG, Ranch & Land Broker"  
1998-2002 Oregon Real Estate Broker

**<bold>Water Board Proposes Reducing Water Rights**

The State Water Resources Control Board has proposed to adjust water rights in order to solve water quality conflicts in the Scott and Shasta Rivers. They would limit water access to control river flow to protect fish habitat. If the Board decides to attack farmers' and ranchers' water rights in this manner, it would be a major blow to the civil rights and economic viability of farming communities all over the state.

A ruling in the Scott Valley Watershed will set precedent for other bodies of water across the state, including but not limited to the San Joaquin River, the Russian River and the Salton Sea. Take action today to protect California's family farms and ranches.

The deadline for submitting comments is 5PM on Wednesday, May 10, 2006.

---

**</bold>**I do not understand how the State Water Resources Control Board can unilaterally, without apparent due process, threaten to reduce water rights, rights which pass with the land & have so passed for generations. And I resent this intrusion by these officials upon the lawful rights of farmers & ranchers. Furthermore, I also resent those misguided individuals who call themselves the only true Native Americans whose rights take precedence over these water rights.

I am just as much a Native American as they, albeit a Native American Swede. I am a native born citizen of this Nation. My great grandfather "lawfully immigrated" from Sweden to this land in 1868 & in 1870 he homesteaded in southwest Iowa where for 4 generations & 104 years my family lived & farmed. I was raised on that original homestead. And I know the attitude of my father & grandfather if their property rights would have been threatened by anyone. They would have fought with every fiber of life & limb to protect those Constitutional & God given rights. My father did not cotton to trespassing by anyone, be they a private individual or a misguided, autocrat or government official. His attitude was that those officials all were public servants & as such they answered to him & his neighbors, not he to them. And he would not hesitate to remind them if he felt it so justified.

I think that the pendulum of government authority has swung far enough in the wrong direction. That has become all too plain to me when I have confronted local County officials that they are public servants and they respond indignantly that they are not! Rather they are "highly paid public officials". After all, our Constitution states that our elected & appointed representatives obtain & retain their

authority & powers from the consent of the governed. And it should be obvious to any of them who will listen, that they do not have the consent of the governed to take or even threaten to take water rights away from those who lawfully & rightfully retain them.

These arrogant officials seem bent on actions contrary to lawful rights, actions destructive of agriculture which will only have detrimental consequences. Agriculture has been the backbone of our nation's economy & strength. And although the advent of technology has brought other industry of major positive impact to our nation's economy, it never will replace the importance of our agricultural industry which feeds much of the world's people.

I beseech you, I implore you to take aggressive actions to set these misguided autocrats straight. Remind them to whom they really answer, to whom they are accountable. And to even sponsor legislation, if necessary, enabling their removal & replacement.

Sincerely,

Norman R. Malmberg

1938-1956 Iowa farm boy

1956-1960 ISU, BS Math, Commission U.S. Navy

1960-1990 U.S. Navy, Captain, USN(Ret)

1975-2006 California Real Estate Broker

dba "NORM MALMBERG, Ranch & Land Broker"

1998-2002 Oregon Real Estate Broker