

**Testimony of Tom Fisher**  
**President, Patterson Lake Homeowners Association**  
**Before the Senate Committee on Energy and Natural Resources**  
**Subcommittee on Water and Power**  
**United States Senate**  
**June 14, 2017**

Good Afternoon, my name is Tom Fisher. I am President of the Patterson Lake Homeowners Association. I am here today representing the 41 permit holders who have permanent homes along the shores of Patterson Lake near Dickinson in southwest North Dakota. We wish to be recorded in strong support of Senate Bill S.440.

The Patterson Lake Homeowners Association would like to thank Senator John Hoeven for his sponsorship and support for this important legislation. I would also like to thank the fellow members of the Energy and Natural Resources Committee for the opportunity to speak to you today about the Senate Bill S.440.

As a brief history, the Dickinson Dam was completed by the Bureau of Reclamation in May of 1950, impounding the Heart River. The dam, amongst the rolling hills and prairies, created the Edward Arthur Patterson Lake, which covers nearly 1,200 surface acres and 22 miles of shoreline. The original purpose of the dam and lake was as a municipal water source for the city of Dickinson, with recreation and irrigation as secondary usages. In 1991, the City of Dickinson began getting their water from Lake Sakakawea through the Southwest Pipeline Project, and in 1996, the Southwest Water Authority was established to take over the management of the Southwest Pipeline Project. Since that change in 1991, the dam and lake are no longer utilized for the primary original purpose of construction. Patterson Lake is now used primarily for recreation and adds a tremendous quality of life to the City of Dickinson and the surrounding communities.

Speaking of the quality of life, in the last 14 months, I have gotten to know all of the homeowners on a very personal level. I have heard many stories of barbeques, holiday gatherings, graduations and wedding receptions that have taken place in the neighborhood throughout the years. I also have had non-association members ask me on a daily basis whether we have come up with a solution. Those conversations usually end up with me hearing about a breathtaking sunset that they have witnessed out at the lake. Many others tell me stories about being on the lake and how wonderful it is to have a resource like that only minutes from town.

Patterson Lake and the surrounding area has always been a major outdoor recreation destination for the residents of Dickinson, Stark County, and the region, so continuing public access to the lake is important to everyone in the area. In our many discussions and interactions with the elected members of the Dickinson Park Board and the employees, maintaining that public access has always been paramount to those discussions and everyone in the community looks forward to continuing the usage of the lake, parks, golf course and other activities currently available.

Patterson Lake homeowners have been trying to purchase the lots around this lake for over 30 years. Over those years, the Patterson Lake Homeowners Association has worked with and had many discussions with the local park board, city and county officials, North Dakota Game and Fish Department, our local state legislators, Governor, as well as both the prior and current congressional delegation. During that time, each of these individuals has expressed support for our efforts. This bill is the culmination of those efforts and discussions. We have worked and met with the Bureau of Reclamation, the Park Department Board and officials, and city and county elected and appointed individuals to discuss how we can move forward in a positive manner. Those meetings have included the executive board of the homeowners association, the entire homeowners association membership, multiple meetings with staff of our congressional delegation, and two meetings with Senator Hoeven himself. The Patterson Lake Homeowners Association takes very seriously the varied interests and concerns of all stakeholders, which is why it has been a priority to have transparent, constructive meetings to allow for a full and open discussion.

The homeowners take significant pride in not only the ownership of our homes, but the manner in which we maintain the land where our homes sit, as well as the other surrounding federal lands bordering our homes. We pay property taxes to Stark County and the Dickinson School District for the assessed value of our homes, as well as a small usage tax for the land. Additionally, we pay an annual permit fee to the park department and these funds have been used to help maintain the public lands around the lake. If this bill is approved, we will pay additional property taxes to the county and schools for the assessed value of the land, which will further benefit the community.

With the passage of Senate Bill S.440, the homeowners will be given the option to buy the land under their permanent homes. For most of us, our home is our greatest investment and asset. This bill would allow financial lenders to use the land and all the improvements the homeowners have made over the years as securities. By doing so, this will open the opportunities so we can make home improvements or utilize the equity for whatever purpose we deem necessary and appropriate. For example, lenders have now advised us that we can no longer take out home improvement loans for our homes or access the equity due to not owning the land under the structures. Passage of S.440 will not only provide us the opportunity to make improvements to our homes, but it will also eliminate financial uncertainties. We are not asking for a giveaway as this bill will require that the value and purchase price for the land be established based on market value through a third-party appraiser in the same manner as the value for all other properties is established.

The Patterson Lake Homeowners Association members are very active in the community. Most have been on numerous volunteer committees and boards and helped with countless city and county projects. The members are tax paying, productive, hardworking people who are excellent stewards of the land and lake that we choose to enjoy as homeowners. We, as homeowners, support the Senate Bill S.440. With the bill's passage, we too will have a chance to experience the American Dream of home ownership and security.

Thank you for your time.