

Dear Ms. Hartt,

I am Erika Fitzpatrick, a rancher from Eastern Oregon near Juntura, OR. My family has been ranching in Oregon for 4 generations and I currently have two young children who I hope to give the opportunity to continue ranching here if they desire.

I am very concerned about the groundwater allocation rules proposed by the Oregon Water Resources Department. While it is true that certain areas in Oregon have experienced groundwater declines that negatively impact water users, the same cannot be said for all areas of the State. The proposed rules will create an effective moratorium on practically all new groundwater use in the State, even in areas that have no issues with groundwater over-use. This approach is extreme, does not balance economic use with sustainability, and will create an unnecessary cap on all future growth and development in Oregon.

The Department should take a more targeted approach to groundwater management. Oregon already has basin plans for surface water basins and some groundwater basins. The Department should study the needs of each groundwater basin, and create regulations in the basin plans that adequately address the unique features, demands, and potential strains in each aquifer. The Department was already directed by the Legislature in HB 2018 (2021) to start the process of studying and creating groundwater budgets for each groundwater aquifer. The Department should use that existing process as a stepping stone to put in place rules that make sense for each basin. The Department can prioritize basins that are most at risk for being overdrawn, so the State can avoid future negative consequences.

Finally, the Department has adequate authority to address current groundwater issues while it studies the groundwater basins and creates regulations unique to each basin. The Department can designate "serious water management problem areas" to prevent further use where justified while the groundwater aquifer is studied and new rules are developed. The Department can continue to deny applications where it knows that groundwater is not available and new uses will injure

existing water rights. The Department should use the tools it already has in a more effective way to better manage the resource.

The Oregon Water Resources Commission should reject the proposed groundwater allocation rules and require the Department to study each groundwater basin (as it is already required to do by law), and then develop regulations, as needed, on a basin-by-basin basis, to address any discovered groundwater basin issues. Thank you for your careful consideration of this important issue.

Sincerely,

Erika Fitzpatrick