



**Kelley Minty, County Commissioner**

May 6, 2024

Laura Hartt  
Water Policy Analyst/Rules Coordinator, Policy Section  
Oregon Water Resources Department  
725 Summer St NE, Suite A  
Salem, OR 97301  
[laura.a.hartt@water.oregon.gov](mailto:laura.a.hartt@water.oregon.gov)

RE: Groundwater Allocation Rulemaking Public Comment

Dear Ms. Hartt,

The proposed rules are a one-size-fits-all approach that doesn't consider the significant differences between the various basins throughout the State.

One of the main factors for determining groundwater availability is whether a proposed new use will cause "the potential for substantial interference" with surface water sources. In spite of the fact that there has been much emphasis on developing rules based on sound science, the methods for establishing "the potential for substantial interference" with surface water sources are overly simplistic and unscientific.

The overly simplistic and unscientific methods for determining "the potential for substantial interference" with surface water sources will likely result in the denial of the vast majority of new applications, even if groundwater is actually available for development. The resulting rules will essentially be a moratorium on new groundwater permits.

The denial of new applications when groundwater is actually available for development will substantially impact the citizens of Oregon (this point can be elaborated and expanded considerably).

To resolve these problems, I request that the Department pause the rulemaking process to allow for additional time to develop more scientifically based methods for evaluating interference with surface water sources.

Sincerely,

A handwritten signature in black ink that reads "Kelley Minty". The signature is written in a cursive, flowing style.

Kelley Minty  
Vice-Chair, Klamath County