



**April 7th, 2024**

My name is Paul Lipscomb, and I am the Vice President of OLAWA: the Oregon Land and Water Alliance. We are a 501c3 organization based in Central Oregon. I have been authorized to submit this testimony on the currently proposed ground water rulemaking on behalf of our organization.

My father had a saying that he indulged his children with whenever we were working on a big project: “A job well begun is already half done.”

And so, on behalf of OLAWA, I would like to take a moment to applaud the Water Resources Department and its staff for an excellent start on the proposed new groundwater allocation rulemaking designed to safeguard existing groundwater resources through more sustainable water use and conservation practices. And in doing so, minimizing the short- and long-term negative impacts to existing water users, as well as to our publicly held streams, rivers, and lakes.

Of course, that said, there still remains much work ahead, particularly on a couple of important but neglected items.

First, groundwater needs to be managed with the same care, force, and effect that is now been accorded to surface water. The practice of allowing transfers of underground water rights to be moved from one aquifer to another, typically miles away, without regard for the differences in water depth, temperature, and turbidity is inimical to a well-designed and well-functioning statewide program of ground water use. But in the current proposals, transfers of underground water rights from one area to another have not yet been addressed by the newly proposed regulations. Although, clearly, they should be.

Second, water waste, whether it occurs on farm or off farm should be vigorously investigated and appropriate remedies taken. And, specifically, exempt wells, which typically are to be used only for domestic purposes should be measured for actual use and reported at least annually. Exempt wells should not be used at all for commercial purposes, nor for surface water storage simply to provide private amenities.

When it comes to our public water use and conservation, we are all invested. Both deliberate waste and accidental waste should be policed by the state. And offenders, and particularly repeat offenders ought to be prosecuted just as vigorously as the wrongful taking of deer, elk, fish, and other wildlife is already investigated and prosecuted.

Yet there is still no exempt domestic well water use law enforcement equivalent to the public management of our local fish and game regulations and potential penalties. This is both a regulation and enforcement problem, and so, the transition process would have to include an education component as well as an enforcement component.

There is a name for those who take more than their legal share of our publicly owned fish and ~~wildlife~~ resources. We call them poachers, and we prosecute them. Similar efforts should be made to reign in current abuses of our public water resources.

Thank you for this opportunity, and, again, congratulations on a job well begun.

Respectfully submitted,

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