



Water Resources Commission Meeting Minutes

December 11 - 12, 2025

Hybrid Meeting in Salem, Oregon

Written material submitted at this meeting is part of the official record and is on file at the Oregon Water Resources Department, 725 Summer Street NE, Suite A, Salem, Oregon 97301-1271.

Agendas, minutes, PowerPoint presentations, staff reports, and audio/video files are available on the Department's [website](#).

Commission Meeting Day 1 – Thursday, December 11, 2025

Attendees

<i>(V) = Virtual</i>				
Commissioners	OWRD Staff		Others	
Julie Smitherman	Ivan Gall	Racquel Rancier	April Snell	Lisa Brown (V)
Kathy Kihara	Cassidy Fredlund	Doug Woodcock (V)	Brian Posewitz	Steve Parrett (V)
Jan Lee	Jesse Ratcliffe, DOJ	Danielle Gonzalez	Kirk Maag	Sarah Rowe (V)
Joe Moll	Maggie Sommer	Annette Liebe	Marika Sitz (V)	Jerry Grondin (V)
Jan Neuman	Jason Cox	Michael Coiner	Rep Mark Owens	Chris Hall (V)
Woody Wolfe (V)	Kim Fritz-Ogren	Katie Ratcliffe	Mario Petrilli	Peggy Lynch (V)
	Adair Muth	Louisa Mariki	Kimberley Priestley	Karen Moon (V)
	Alyssa Mucken	Francisco Guerrero	Harmony Burrigh (V)	Tom (V)
	Jason Spriet	Estelle Robichaux	Gordon Lyford (V)	Gabe (V)
	Tim Seymour	Alexandria Scott	Mike Peila (V)	Tory White (V)
	Kelly Meinz	Ben Scandella	MacKayla Fithian (V)	Zach Freed (V)
	Justin Iverson	Darrick Boschmann	Gouveia Ranch (V)	Midge (V)
	Bryn Hudson (V)	Lisa Snyder (V)	Laurie O'Connor (V)	Julie Cymore (V)
	Mindy Lane	Eliot Crafton	Kyle Gorman (V)	L Sells (V)
	Grayson Fish (V)	Katie Ratcliffe	Willa Powless (V)	Ken Diebel (V)
	Bryn Hudson (V)	Dave Jones (V)	Debbie Gouveia (V)	Robyn Cook (V)
	Lisa Jaramillo (V)	Adam Frederick (V)	Barbara Cannady (V)	Bryan Kolacz (V)
	Will Davidson (V)	Charlotte Regula-Whitefield (V)	Jessica Humphreys (V)	Breanna O'Connor (V)
	Jake Johnstone (V)	Margo Mashkovskaya (V)	Anton Chiono (V)	Leah Cogan (V)
	Graham Thomas (V)	Jonathan Moyes (V)	Peter Harkema (V)	Jeff Burrigh (V)
	Luke Albert (V)	Janna Guzman (V)	Patty Dorroh (V)	Jay Weiner (V)
	Laura Hartt (V)	Andrew Wentworth (V)	Sabrina Maki (V)	Joe Matteo (V)
	Linda Ray (V)	Marcy Osborn	Christy Keerins (V)	Jake Potter (V)
	Justin Dillon (V)	Dally Swindlehurst	Chandra Ferrari (V)	Kris Byrd (V)
	Shauna Yeh (V)	Corie Lovrien (V)	Angela Hagenah (V)	Curt Blackburn (V)
	Chris Kowitz (V)	Sarah Benham (V)	Bobby Buckmister (V)	Brent Stevenson (V)

	Travis Brown (V)	James Hootsmans (V)	Matthew Bearden (V)	Alejandro Figueroa (V)
	Crystal Grinnell (V)	Steve Ahlquist (V)	Mateusz Perkowski (V)	Sheena Miltenberger (V)
	Lisa Kingsley (V)	Laurel Stratton Garvin (V)	Melissa Petschauer (V)	Garshaw Amidi-Abraham (v)
	Joe Kemper (V)	Scott Cecilianani (V)	High Desert Partnership (V)	Todd Jarvis
	Cade Tiller (V)	Nathan Petrucci (V)	Scott White	
	Lili Prael (V)	Susan Douthit (V)	Roxanne Worley	
	Stacey Duffey (V)	Darrick Boschmann (V)	Kim Valentine	
	Elyse Hennen (V)	Ian Alford (V)		

[Vice-Chair Smitherman convened the meeting.](#)

[The meeting was closed for executive session.](#)

[Commissioner Neuman recused herself from discussions in the executive session.](#)

Executive Session: East Valley Water District Contested Case

The Commission met in executive session to consult with counsel concerning the legal rights and duties of a public body regarding current litigation or litigation likely to be filed. The executive session was conducted pursuant to ORS 192.660(2)(h) and was closed to the public.

A. [In the Matter of Water Right Application R-87871 in the Name of East Valley Water District: Further Proceedings on Remand from the Oregon Supreme Court](#)

Eliot Crafton, Water Rights Section Manager, and Jesse Ratcliffe, Senior Assistant Attorney General, Oregon Department of Justice, provided an update on the Oregon Supreme Court’s remand of this matter to the Commission. The Commission was asked to conduct further proceedings to address issues identified in the Oregon Supreme Court’s opinion and to consider whether to approve issuance of a new final order. Commissioner Neuman recused herself from discussions and voting in this matter.

[The Commission gave comments, asked questions, and engaged in discussion with the presenter.](#)

[Commissioner Moll moved](#) that the Commission direct the Water Resources Department to prepare a proposed order on remand with the following five elements:

- (1) A consideration of each of the ORS 537.170(8) public interest factors, which adopts the consideration of the public interest factors in the Department’s Final Order, with the exception of the ORS 537.170(8)(f) factor.
- (2) An adoption of the Commission’s consideration of the ORS 537.170(8)(f) factor from the Commission’s final order.

- (3) A conclusion that the application will impair or be detrimental to the public interest and is denied based on the consideration of the ORS 537.170(8)(f) factor.
- (4) A conclusion that the consideration of the public interest does not require balancing of the public interest factors, but that in the alternative, the Commission balances the factors and concludes that the balance requires denial of the application because it will impair or be detrimental to the public interest. Specifically, while the other public interest factors do not weigh against the public interest, the weight of the ORS 537.170(8)(f) factor is sufficient to require denial because of frustration of the purpose of a senior water right held in trust for the people of Oregon.
- (5) An opportunity for the parties to provide written exceptions on the proposed order, with a 30-day deadline, and an opportunity for the parties to present oral argument to the Commission on the exceptions at a future Commission meeting.

[Commissioner Kihara seconded the motion.](#) Votes in favor: Commissioners Lee, Wolfe, Moll, and Kihara, and Vice-Chair Smitherman. Abstained Commissioner Neuman. Motion passed.

[Public Comment, Brian Posewitz](#)

[Public Comment, Kirk Maag](#)

I. [Oregon's Integrated Water Resources Strategy Workplan Development](#)

Crystal Grinnell, Integrated Water Resources Strategy Specialist, presented the draft 2025-27 Strategy Workplan that has been developed by multiple state agencies and a proposed development approach for the 2027-29 Strategy Workplan. *This is an informational report.*

[The Commission gave comments, asked questions, and engaged in discussion with the presenter.](#)

[Public Comment, April Snell](#)

[Public Comment, Harmony Burright](#)

G. [Water Project Grants and Loans and Irrigation Modernization Funding Recommendations and Program Updates](#)

Louisa Mariki, Grant Analyst, and Adair Muth, Grants Manager, presented the Technical Review Team's scoring results, evaluation summaries, funding recommendations, and public comments received and provided program updates. The Commission was asked to award funding for Water Project Grants and Loans and Irrigation Modernization Funding.

[Commissioner Wolfe disclosed a personal and business relationship with one of the applicants \(Wallowa County\) and indicated he will abstain from the voting.](#)

[The Commission gave comments, asked questions, and engaged in discussion with the presenters.](#)

[Commissioner Moll moved](#) to adopt the Department’s funding recommendation contained in Tables 3, 4 and 5 of the staff report to immediately fund one WPGL application (\$564,800), provisionally fund three WPGL applications (\$1,825,912) for a total WPGL award of \$2,390,7125, and immediately fund two Irrigation Modernization Funding applications (\$2,834,236), and partially fund one Irrigation Modernization application (\$1,468,943) for a total Irrigation Modernization Funding award of \$4,303,179.

[Commissioner Lee seconded](#) the motion. Votes in favor: Commissioners Kihara, Moll, Lee, and Neuman, and Vice-Chair Smitherman. Abstained: Commissioner Wolfe. Motion passed.

[Follow up question from Commissioner Moll](#)

[Public Comment, Scott White](#)

[The Commission engaged in discussion with Scott White](#)

[Public Comment, April Snell](#)

[The Commission engaged in discussion with April Snell and the presenters](#)

C. [Commission Appointments to the Groundwater Advisory Committee](#)

Justin Iverson, Groundwater Section Manager, presented recommendations for appointments to the Groundwater Advisory Committee. The Commission was asked to consider approval of the proposed appointments.

[Commissioner Neuman moved](#) to appoint Brandon Brown and Ken Bentz to GWAC terms beginning December 11, 2025 through November 30, 2028. [Commissioner Kihara seconded](#) the motion. Votes in favor: Commissioner Wolfe, Lee, Neuman, Kihara, Moll and Vice-Chair Smitherman. Motion passed unanimously.

D. [Division 512 Harney Basin Groundwater Proposed Rules](#)

Jason Spriet, East Region Manager, Tim Seymour, Assistant Groundwater Section Manager, and Kelly Meinz, Water Policy Analyst, presented the recommended Division 512 rules with revisions. The Commission was asked to consider the adoption of these rules.

[Opening comments from Director Gall](#)

[The Commission gave comments, asked questions, and engaged in discussion with the presenters.](#)

[Commissioner Neuman moved](#) to adopt the proposed Division 512 rules as proposed in Attachment 15, including the findings recommended by the

Department in support of adoption with the following modifications related to 690-512-0060(1) and 690-512-0070(1):

And those are to replace the subparagraph in the middle of 0060(1) with 690-512-0041(8) instead of 7 in the draft, and

To add language to 0070(1) so that it reads as follows: “for the purpose of scheduling reductions, the total reduction in groundwater use for each subarea will be calculated as the difference between the total initial allotment for the subarea plus the greatest single year quantity of municipal and quasi-municipal use between the years 2020 and 2024 within that same subarea, and the permissible total withdrawal.

[Commissioner Kihara seconded](#) the motion. Votes in favor: Commissioners Moll, Kihara, Neuman, Lee, Wolfe, and Vice-Chair Smitherman. Motion passed unanimously.

E. [Division 512 Rulemaking Petition](#)

Ivan Gall, Director, and Doug Woodcock, Deputy Director, presented the Division 512 Rulemaking Petition with the Director’s recommendation. The Commission was asked to consider whether to accept the petition and initiate a rulemaking on Division 512 or whether to deny the petition.

[The Commission engaged in discussion](#)

[Commissioner Kihara moved](#) to deny the petition. [Vice-Chair Smitherman seconded](#). Votes in favor: Commissioners Moll, Kihara, Neuman, Lee, Wolfe, and Vice-Chair Smitherman. Motion passed unanimously to deny the petition.

F. [Public Comment Period](#)

[Public Comment, Harney County Commissioner Rob Frank](#)

[Public Comment, Mario Petrilli](#)

[Public Comment, Lorissa Singhose](#)

[Public Comment, Representative Mark Owens](#)

[Public Comment, Chris Hall](#)

J. [Budget & Legislative Update](#)

Bryn Hudson, Legislative Coordinator, and Lisa Snyder, Administrative Services Division Administrator, provided an update on the agency’s progress developing legislative and budget concepts in preparation from the 2027 legislative session. This is an informational report.

[The Commission gave comments, asked questions, and engaged in discussion with the presenters.](#)

L. [Meeting Minutes](#)

The minutes of the September 2025, October 3, 2025, and October 30, 2025, Commission meetings were presented for Commission approval.

[Commissioner Moll moved](#) to approve all three sets of minutes as recorded. [Commissioner Lee seconded](#) the motion. Votes in favor: Commissioners Moll, Kihara, Neuman, Lee, Wolfe, and Vice-Chair Smitherman. Motion passed unanimously.

[Day 1 was adjourned.](#)

Commission Meeting Day 2 – Friday, December 12, 2025

Attendees

<i>(V) = Virtual</i>			
Commissioners	OWRD Staff		Others
Julie Smitherman	Ivan Gall	Racquel Rancier	Kimberley Priestley
Kathy Kihara	Mindy Lane	Doug Woodcock (V)	Lisa Brown
Jan Lee	Kim Fritz-Ogren	Cassidy Fredlund	Victoria White
Joe Moll	Annette Liebe	Danielle Gonzalez	Tom Halferty
Jan Neuman	Maggie Sommer	Scott Cecilian (V)	April Snell (V)
Woody Wolfe (V)	Dave Jones (V)	Michael Coiner (V)	Jill Henry (V)
	Katie Ratcliffe	Crystal Grinnell (V)	Nancy Lyford (V)
	Lisa Jaramillo	Will Davidson	Gordon Lyford (V)
	Justin Dillon (V)	Sarah Henderson (V)	Kevin (V)
	Chris Kowitz (V)	Alyssa Mucken (V)	Chris Hall (V)
	Jason Cox	Sarah Rowe, DOJ	Kyle Gorman (V)
	Kris Byrd (V)	Jesse Ratcliffe, DOJ	Mateusz Perkowski (V)
	Lisa Snyder (V)	Adam Frederick (V)	Misty (V)
	Luke Albert (V)	Graham Thomas (V)	Matthew Bearden (V)
	Joan Smith (V)	James Hootsmans (V)	Debra (V)
	Bryn Hudson (V)	Dally Swindlehurst (V)	Carolyn (V)
	Elyse Hennen	Charlotte Regula-Whitefield	Gregg (V)
			Mike (V)
			Lindsay Thane (V)
			Adam Buell (V)
			Karen Moon (V)
			Peggy Lynch (V)
			Brent Stevenson (V)
			Jill Henry (V)

[Vice-Chair Smitherman re-convened the meeting.](#)

B. [Decision on Oral Argument, Potential Oral Argument, Commission Deliberations, and Potential Issuance of a Final Order in the Matter of the Proposed Cancellation of Water Right Certificate 3943, Andreas and Carole Blech, Protestants, WaterWatch of Oregon, Proponent: Consideration of Exceptions to Administrative Law Judge’s Proposed Order and Determination of Next Steps](#)

The Commission convened the public meeting with a decision to hear oral argument from WaterWatch and the Blechs on the Administrative Law Judge’s Proposed Order and the parties’ exceptions filings. No new evidence was allowed.

[Vice-Chair Smitherman moved to allow oral arguments. Commissioner Neuman seconded](#) the motion. Votes in favor: Commissioners Moll, Kihara, Neuman, Lee, and Wolfe, and Vice-Chair Smitherman. Motion passed unanimously.

[WaterWatch oral argument](#)

[Elizabeth Howard for Blech oral argument](#)

[WaterWatch oral argument continued](#)

[The Commission recessed](#) for deliberations per ORS 192.690(1)(b).

[The Commission reconvened](#) to decide: (1) whether to grant WaterWatch's exceptions; and (2) whether to approve issuance of a final order.

[Vice-Chair Smitherman moved](#) to deny in part the exceptions of WaterWatch and issue a final order that is consistent with the ALJ's proposed order in whole except for the technical corrections pertaining to finding of fact 1332 footnote 11 and 16. [Commissioner Lee seconded](#) the motion. Votes in favor: Commissioners Moll, Kihara, Neuman, Lee, Wolfe, and Vice-Chair Smitherman. Motion passed unanimously.

H. [Water Right-Related Rulemaking](#)

OWRD staff presented an overview of the rulemaking underway to update 17 rule divisions related to water rights. This is an informational report.

[The Commission gave comments, asked questions, and engaged in discussion with the presenters.](#)

[Public Comment, April Snell](#)

[Public Comment, Kimberley Priestley](#)

[Public Comment, Brent Stevenson](#)

K. [Director's Report](#)

Ivan Gall, Director, provided an update on Department business and late-breaking issues. This is an informational report and includes informational report outs.

M. [Commissioner Comments](#)

Commissioners reported on their recent activities, shared information, and commented on a variety of water resource topics.

N. [Public Comment and Other Issues](#)

There were no public comments or other issues.

[The Water Resources Commission meeting was adjourned.](#)

Submitted by Mindy Lane, Executive Support, Director's Office.