

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments  
**Date:** Thursday, October 2, 2025 11:22:15 AM

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Hello Commissioners,

Please see the attached comments. Thank you!

[Cassidy Fredlund](#)

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 9:07 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments

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**From:** Bob Hunter <[hunterbob10@gmail.com](mailto:hunterbob10@gmail.com)>  
**Sent:** Wednesday, October 1, 2025 11:01 AM  
**To:** WRD\_DL\_rule-coordinator <[WRD\\_DL\\_rule-coordinator@water.oregon.gov](mailto:WRD_DL_rule-coordinator@water.oregon.gov)>  
**Subject:** 512 Petition and 512 Rulemaking Comments

Some people who received this message don't often get email from [hunterbob10@gmail.com](mailto:hunterbob10@gmail.com). [Learn why this is important](#)

Kelly Meinz:

I am writing in connection with both the "Petition for Rulemaking - Division 512" and the "Agency Proposed Rules - Division 512.

I am very concerned that the Petition for Rulemaking filed by Representative Mark Owens will severely undercut protections to groundwater in the Harney Basin and the efforts that the Oregon Water Resource Department has put into its proposed rules to protect the basin's groundwater and those who use it. **I urge the Oregon Water Resources Commission to reject Representative Owens' petition.**

The petition's promotion of optional voluntary actions that lack any required pumping reductions jeopardizes real groundwater protection in the basin and would severely undermine OWRD's proposed adaptive management program and long-term improvement to the ground situation in the basin.

I would also like to see OWRD's proposed rules strengthened to better protect groundwater. I would like to see groundwater dependent ecosystems such as springs, wetlands, streams, lakes, and native vegetation better protected. I believe the

proposed rules' schedule that allows such a large amount of additional pumping to occur that groundwater levels are not stabilized for 30 more years favors irrigation in an unbalanced manner. A balanced approach requires stabilization far sooner than 30 years.

I also urge OWRD and the Commission to re-evaluate the proposed rules to ensure the final rules do not include any unfair giveaways to irrigators that undercut needed protections for groundwater.

Rules that offer real protection and improvement to the basin's ground water offer an important opportunity to make much needed progress in addressing the basin's groundwater issues.

Sincerely,

Bob Hunter

Jacksonville, Oregon

-

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: Harney County Water Petition  
**Date:** Thursday, October 2, 2025 11:13:04 AM

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Hello Commissioners,

Please see the attached comments. Thank you!

Cassidy Fredlund  
Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399

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-----Original Message-----

From: MEINZ Kelly A \* WRD <kelly.a.meinz@water.oregon.gov>  
Sent: Thursday, October 2, 2025 9:04 AM  
To: FREDLUND Cassidy A \* WRD <Cassidy.A.FREDLUND@water.oregon.gov>  
Subject: FW: Harney County Water Petition

-----Original Message-----

From: Cheryl <silver\_sally@yahoo.com>  
Sent: Wednesday, October 1, 2025 9:32 AM  
To: MEINZ Kelly A \* WRD <kelly.a.meinz@water.oregon.gov>  
Subject: Harney County Water Petition

[You don't often get email from silver\_sally@yahoo.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

I am submitting this email to voice my support for the groundwater petition proposed by collaboration of our local stakeholders in water use regulation in the Harney Basin.

Regulating the groundwater in Harney Basin is unlike any other watershed in the state or Oregon. Regulation cannot be modeled after watersheds that drain into the ocean. Only people who have lived and farmed here can understand the unique issues involved in managing and preserving an inland water basin. Only people who have lived and farmed here can understand how the water is used, stored, and varies from year to year.

It is important that regulation of our most valuable resource be done by those who depend upon it and use it. There is no other way to keep it from being depleted or exploited in favor of the wealthy.

Please acknowledge and agree with our petition.

Sincerely,

Cheryl Larsen  
70409 Red Barn Rd  
Burns, OR 97720  
541-413-0853

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: Harney Basin petition/Groundwater rule 512  
**Date:** Thursday, October 2, 2025 10:51:50 AM

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Hello Commissioners,

Please see the attached comments. Thank you!

*[Cassidy Fredlund](#)*

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725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 8:57 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: Harney Basin petition/Groundwater rule 512

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**From:** Nikki Morgan <[nikkil2161@hotmail.com](mailto:nikkil2161@hotmail.com)>  
**Sent:** Monday, September 29, 2025 10:51 AM  
**To:** WRD\_DL\_rule-coordinator <[WRD\\_DL\\_rule-coordinator@water.oregon.gov](mailto:WRD_DL_rule-coordinator@water.oregon.gov)>  
**Subject:** Harney Basin petition/Groundwater rule 512

Hello!

I'm writing in support of the Harney Basin community petition filed Sept. 12th, 2025. It is well written and shows the issues and the area itself has been well researched - they really paid attention. Kudos to those working on this petition for recognizing that each area in the Harney Basin is different and those differences need to be addressed separately! Addressing these differences allows for the separate areas to take care of their needs, to have a say in what is needed and follow through which, as we all know, inspires cooperation.

The current Governor has emphasized the need for housing; with the original proposal on the water restriction the cities would have a harder time establishing housing growth - some say why even try. Conservation has always been a better solution for the cities and certain areas in the Harney Basin. This petition allows for voluntary conservation to continue in those areas. People are willing to do that. It also enables growth to continue - there are housing developments currently in the works for both cities.

Harney County is a major producer for cattle/beef which requires feed for those cattle - hay, alfalfa, etc. You need water for the cattle and feed production. Following this petition will eliminate the need to import the cattle feed/hay from other areas. It should be known that a lot of the ranchers/farmers export their hay to areas where there is little to no production. Eliminating this would not only financially impact this area but impact those areas that need the hay imports.

Everyone in Harney Basin relies on groundwater for drinking water. This petition assures that there are adequate and safe supplies of groundwater for people and livestock. It also recognizes the need for ongoing financial and technical assistance for shallow domestic wells that may be impacted by declines. This petition also does a better job of protecting those legally granted groundwater rights and protecting the people who have followed the laws.

This petition is so well thought out, addressing the entire Harney Basin and its differences, that it would be totally idiotic not to just give it a try. If you haven't read it all the way through or you don't quite understand some parts, please ask someone - ask the committee. Asking questions to better understand is good - shows you actually care and are trying to do your best.

If you are unsure - just vote to give it a try. If something needs tweaked after awhile, it can be. (For all the naysayers, if it doesn't work, at the very least you could say I told you so.)

thank you,

Nikki Morgan  
Mayor, Hines Oregon

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments  
**Date:** Thursday, October 2, 2025 11:18:31 AM

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Hello Commissioners,

Please see the attached comments. Thank you!

*Cassidy Fredlund*

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 9:06 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments

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**From:** Cliff Mitchell <[cliffmitchell1@yahoo.com](mailto:cliffmitchell1@yahoo.com)>  
**Sent:** Wednesday, October 1, 2025 10:21 AM  
**To:** WRD\_DL\_rule-coordinator <[wrd\\_dl\\_rule-coordinator@water.oregon.gov](mailto:wrd_dl_rule-coordinator@water.oregon.gov)>  
**Subject:** 512 Petition and 512 Rulemaking Comments

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Some people who received this message don't often get email from [cliffmitchell1@yahoo.com](mailto:cliffmitchell1@yahoo.com). [Learn why this is important](#)

Please adopt and implement OWRD proposed rule for groundwater management in the Harney Basin. Over pumping should be stopped immediately and not allowed to go on in the future.

The Oregon Water Resources Department (OWRD) is moving to **designate the Harney Basin** in the [high desert of southeast Oregon](#) a "critical groundwater area" to ensure more sustainable groundwater levels.

**Proposed rules** developed over the course of a lengthy and exhaustive public process would, over time, **allow for reductions** in **existing groundwater pumping** in the Harney Basin, and continue the existing prohibition on new permits to address the **region's extreme overpumping** of groundwater.

**Reject Oregon Representative Mark Owen's alternative rule.**

Cliff Mitchell  
[cliffmitchell1@yahoo.com](mailto:cliffmitchell1@yahoo.com)

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: Harney Basin Community Petition wrd\_dl\_rule-coordinator@water.oregon.gov  
**Date:** Thursday, October 2, 2025 10:57:07 AM

---

Hello Commissioners,

Please see the attached comments. Thank you!

*Cassidy Fredlund*

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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**From:** MEINZ Kelly A \* WRD <Kelly.A.MEINZ@water.oregon.gov>  
**Sent:** Thursday, October 2, 2025 8:58 AM  
**To:** FREDLUND Cassidy A \* WRD <Cassidy.A.FREDLUND@water.oregon.gov>  
**Subject:** FW: Harney Basin Community Petition wrd\_dl\_rule-coordinator@water.oregon.gov

---

**From:** Denise Kryger <[denisekryger@cranehotsprings.com](mailto:denisekryger@cranehotsprings.com)>  
**Sent:** Monday, September 29, 2025 12:31 PM  
**To:** WRD\_DL\_rule-coordinator <[wrd\\_dl\\_rule-coordinator@water.oregon.gov](mailto:wrd_dl_rule-coordinator@water.oregon.gov)>  
**Subject:** Harney Basin Community Petition [wrd\\_dl\\_rule-coordinator@water.oregon.gov](mailto:wrd_dl_rule-coordinator@water.oregon.gov)

Some people who received this message don't often get email from [denisekryger@cranehotsprings.com](mailto:denisekryger@cranehotsprings.com). [Learn why this is important](#)

To Whom It May Concern:

As owners and operators of Crane Hot Springs, Daniel and Denise Kryger are writing to express our strong support for the petition filed on September 12.

Our business motto, "It's about the water," directly reflects our deep reliance on groundwater reservoirs, which are vital to our livelihood. We established Crane Hot Springs 27 years ago, and it has since become the heart of our family's life. We are proud to share that the second generation of our family is now actively taking over the business operations.

As a small business, we respectfully ask that you consider minimizing any potential economic impacts on Crane Hot Springs and our 26 employees.

Thank you,

Dan and Denise Kryger

--



Owner

Denise Kryger

Crane Hot Springs

59315 HWY 78

Burns, OR 97720

T. 425.971.1063

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments  
**Date:** Thursday, October 2, 2025 11:09:38 AM

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Hello Commissioners,

Please see the attached comments. Thank you!

*[Cassidy Fredlund](#)*

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 9:03 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments

---

**From:** Dave Heller <[daheller@aol.com](mailto:daheller@aol.com)>  
**Sent:** Wednesday, October 1, 2025 9:12 AM  
**To:** WRD\_DL\_rule-coordinator <[wr\\_d\\_l\\_rule-coordinator@water.oregon.gov](mailto:wr_d_l_rule-coordinator@water.oregon.gov)>  
**Subject:** 512 Petition and 512 Rulemaking Comments

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Some people who received this message don't often get email from [daheller@aol.com](mailto:daheller@aol.com). [Learn why this is important](#)

Bad idea. At a time where ground water levels are dropping and rainfall and snowmelt are decreasing, it is important to be cautious and use good science to manage and conserve ground water. Please reject the Alfalfa growers bill.

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments ATTN Kelly Meinz (OWRD)  
**Date:** Thursday, October 2, 2025 11:22:49 AM

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Hello Commissioners,

Please see the attached comments. Thank you!

*Cassidy Fredlund*

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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---

**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 9:07 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments ATTN Kelly Meinz (OWRD)

---

**From:** Dave Hohler <[dbhohler@gmail.com](mailto:dbhohler@gmail.com)>  
**Sent:** Wednesday, October 1, 2025 11:13 AM  
**To:** WRD\_DL\_rule-coordinator <[WRD\\_DL\\_rule-coordinator@water.oregon.gov](mailto:WRD_DL_rule-coordinator@water.oregon.gov)>  
**Subject:** 512 Petition and 512 Rulemaking Comments ATTN Kelly Meinz (OWRD)

---

Some people who received this message don't often get email from [dbhohler@gmail.com](mailto:dbhohler@gmail.com). [Learn why this is important](#)

1. I am commenting on both the "Petition for Rulemaking — Division 512" and the "Agency Proposed Rules — Division 512. I do not support the Petition for Rulemaking filed by Representative Mark Owens. It will not adequately protect groundwater in the Harney Basin. I urge the Oregon Water Resources Commission to deny Rep. Owens' petition.
2. OWRD's proposed rules already contain extensive concessions to irrigators. I urge OWRD and the Commission to re-evaluate these many concessions to ensure the final rules do not include any unfair giveaways to irrigators that undercut needed protections for groundwater.
3. I would like to see OWRD's proposed rules strengthened to better protect groundwater. I would like to see groundwater dependent ecosystems such as springs, wetlands, streams, lakes, and native vegetation better protected. I believe the proposed rules' schedule that allows such a large amount of additional pumping to occur that groundwater levels are not stabilized for 30

more years favors irrigation in an unbalanced manner. A balanced approach requires stabilization far sooner than 30 years.

4. The Commission should reject the petition's promotion of optional voluntary actions that lack any required pumping reductions. OWRD's proposed rules accommodate alternative voluntary actions where those would meet requirements, and include an adaptive management program. The Commission should not adopt the petition's reckless approach to voluntary agreements, which would only create loopholes and jeopardize long term uses of this tool.

Thank you for your consideration,

David Hohler

541-760-2605

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments  
**Date:** Thursday, October 2, 2025 11:11:10 AM

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Hello Commissioners,

Please see the attached comments. Thank you!

*Cassidy Fredlund*

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 9:04 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments

---

**From:** Delores Porch <[verandafay@gmail.com](mailto:verandafay@gmail.com)>  
**Sent:** Wednesday, October 1, 2025 9:30 AM  
**To:** WRD\_DL\_rule-coordinator <[WRD\\_DL\\_rule-coordinator@water.oregon.gov](mailto:WRD_DL_rule-coordinator@water.oregon.gov)>  
**Subject:** 512 Petition and 512 Rulemaking Comments

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I am against Representative Owens' petition to change the rules in the Harney Basin that were proposed by OWRD. I listened to the concerns of farmers during public presentations. But, the climate in the basin has changed over the years. All those who use the water cannot use it as it has always been used over the centuries.

Delores Porch  
SE Albany OR

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: Harney Basin Community Petition  
**Date:** Thursday, October 2, 2025 10:56:24 AM

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Hello Commissioners,

Please see the attached comments. Thank you!

*[Cassidy Fredlund](#)*

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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---

**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 8:57 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: Harney Basin Community Petition

---

**From:** Denise Kryger <[denisekryger@cranehotsprings.com](mailto:denisekryger@cranehotsprings.com)>  
**Sent:** Monday, September 29, 2025 12:12 PM  
**To:** WRD\_DL\_rule-coordinator <[wrd\\_dl\\_rule-coordinator@water.oregon.gov](mailto:wrd_dl_rule-coordinator@water.oregon.gov)>  
**Subject:** Harney Basin Community Petition

Some people who received this message don't often get email from [denisekryger@cranehotsprings.com](mailto:denisekryger@cranehotsprings.com). [Learn why this is important](#)

Crane Hot Springs, represented by Daniel Kryger and Denise Kryger, hereby supports the Harney Basin community petition filed on September 12.

Crane Hot Springs depends on water for our livelihood, and our motto reflects that commitment. We firmly believe that our groundwater reservoir is distinct from those of our neighbors, and we also believe that multiple groundwater reservoirs exist within the region

Sincerely, Denise Kryger



Owner  
Denise Kryger

Crane Hot Springs  
59315 HWY 78  
Burns, OR 97720  
T. 425.971.1063

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments  
**Date:** Thursday, October 2, 2025 11:19:46 AM

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Hello Commissioners,

Please see the attached comments. Thank you!

*[Cassidy Fredlund](#)*

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 9:07 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments

---

**From:** Doug Heiken <[dougheiken@gmail.com](mailto:dougheiken@gmail.com)>  
**Sent:** Wednesday, October 1, 2025 10:40 AM  
**To:** WRD\_DL\_rule-coordinator <[WRD\\_DL\\_rule-coordinator@water.oregon.gov](mailto:WRD_DL_rule-coordinator@water.oregon.gov)>  
**Subject:** 512 Petition and 512 Rulemaking Comments

Some people who received this message don't often get email from [dougheiken@gmail.com](mailto:dougheiken@gmail.com). [Learn why this is important](#)

Dear OWRD:

I am commenting on both the "Petition for Rulemaking — Division 512" and the "Agency Proposed Rules — Division 512."

I have been recreating in Harney County for more than 40 years. My enjoyment of the area requires careful management of the water, so that rivers, fish and wildlife get their share.

I do not support the Petition for Rulemaking filed by Representative Mark Owens. It will NOT adequately protect groundwater in the Harney Basin. I urge the Oregon Water Resources Commission to deny Rep. Owens' petition.

OWRD's proposed rules already contain extensive concessions to irrigators. I urge OWRD and the Commission to re-evaluate these many concessions to ensure the

final rules do not include any unfair giveaways to irrigators that undercut needed protections for groundwater.

I would like to see OWRD's proposed rules strengthened to better protect groundwater. I would like to see groundwater dependent ecosystems such as springs, wetlands, streams, lakes, and native vegetation better protected. I believe the proposed rules' schedule that allows such a large amount of additional pumping to occur that groundwater levels are not stabilized for 30 more years favors irrigation in an unbalanced manner. A balanced approach requires stabilization far sooner than 30 years.

The Commission should reject the petition's promotion of optional voluntary actions that lack any required pumping reductions. OWRD's proposed rules accommodate alternative voluntary actions where those would meet requirements, and include an adaptive management program. The Commission should not adopt the petition's reckless approach to voluntary agreements, which would only create loopholes and jeopardize long term uses of this tool.

Sincerely,  
/s/

Doug Heiken  
909 W. 10th Ave  
Eugene, Oregon 97402

**From:** [Rachel O'Connor](#)  
**To:** [LANE Mindy J \\* WRD](#)  
**Cc:** [WRD\\_DL\\_rule-coordinator](#)  
**Subject:** Division 512 Comment Letter  
**Date:** Wednesday, October 1, 2025 7:54:57 PM  
**Attachments:** [20250930\\_EDF\\_Comments\\_on\\_Div\\_512\\_WRC\\_10-3-2025.pdf](#)

---

Some people who received this message don't often get email from roconnor@edf.org. [Learn why this is important](#)

Hello,

Please see the attached public comment letter on the Division 512 rulemaking.

Thank you,

Rachel

**Rachel O'Connor (she/her)**  
*Director, Resilient Water Systems*  
**Environmental Defense Fund**

[roconnor@EDF.org](mailto:roconnor@EDF.org)  
+1 631 513 8835 (Pacific Time)  
[EDF.org](#) | [A vital Earth. For everyone.](#)

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: Harney Basin Community Petition filed 12 Sep 2025  
**Date:** Thursday, October 2, 2025 11:08:08 AM

---

Hello Commissioners,

Please see the attached comments. Thank you!

[Cassidy Fredlund](#)

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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---

**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 9:03 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: Harney Basin Community Petition filed 12 Sep 2025

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**From:** Christy Keerins <[christykeerins@yahoo.com](mailto:christykeerins@yahoo.com)>  
**Sent:** Wednesday, October 1, 2025 7:30 AM  
**To:** WRD\_DL\_rule-coordinator <[WRD\\_DL\\_rule-coordinator@water.oregon.gov](mailto:WRD_DL_rule-coordinator@water.oregon.gov)>  
**Subject:** Harney Basin Community Petition filed 12 Sep 2025

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Reasons why I support the petition filed September 12, 2025 for Harney County community members are as listed bellow:

- *recognizes that groundwater conditions are different in different parts of the basin. Purchased property in Blitzen-voltage because the department had data supporting additional development.*
- *groundwater will be more effectively managed as separate groundwater reservoirs rather than treating the whole basin as one groundwater reservoir.*

*How is the entire basin one reservoir when there are geothermal wells*

*and different mineral contents throughout the basin?*

- *focuses regulation in the areas where there are clear problems that meet the thresholds for regulatory action and Critical Ground Water Definition.*

- *encourages voluntary actions in parts of the basin where groundwater levels are reasonably stable and expected to remain reasonably stable. Majority of irrigation wells in Blitzen-Voltage area are drilled to 150ft or less and do not show a cone of depression and justify 39% curtailment. Figure3. Key Finding Harney Basin Ground Water Study November 2022*

[https://www.oregon.gov/owrd/Documents/Harney\\_Basin\\_Groundwater\\_Study\\_OWRD\\_factsheet\\_2022NOV06.pdf](https://www.oregon.gov/owrd/Documents/Harney_Basin_Groundwater_Study_OWRD_factsheet_2022NOV06.pdf)

- *adjusts proposed boundaries to better reflect our understanding of groundwater conditions in the basin and aligns with known data.*

- *The state is required by law to minimize economic impacts. Harney County residents, businesses, local Native Americans, Malheur National Wildlife Refuge by petition presents an alternative that minimizes economic impacts on the community.*

- *The Harney Basin community cares about our ecosystem. The petition will continue to encourage the collection of information to target actions that restore or maintain the flow of springs important to the Malheur National Wildlife Refuge in partnership with the Refuge and the OO area.*

- *Harney Basin has a track record of working together to solve problems collaboratively. The petition recognizes this history and invites the state to work with us to address the declining water table in portions of the basin. Why have the citizens of the Basin been left to develop a proposal that addresses a known ground water problem from the early 80's? Lack of Oregon Water Resources Department leadership most likely contributed to Harney County residents' petition. The Water Department's inability to be transparent on both sides of the story shows a breakdown in their ability to enforce or regulate in the future. Best results will be by Basin stakeholders.*

*•The petition will allow our community and groundwater users to invest in water conservation instead of litigation and conflict. The 512 rules will likely encourage litigation because they are unfair and the data does not support the high curtailment of water as proposed. Agree, there are cones of depression in the Basin and fair regulation should be implemented, but how were the cones of depression created? .... Leadership? .... Lack of Data? Other factors as well. Cannot change the past, we need to move forward. The Petition allows our community to do just that with regulation where needed and voluntary actions for the rest of the Basin.*

*• The petition provides a pathway through which a critical groundwater area designation could be lifted if groundwater is being sustainably managed thus ensuring the next generation of Farmers/Ranchers an opportunity to fulfill their dreams. Keeps local hay producers in operation, reduces imported hay products, stable jobs, and ensures the Basin does not experience a mass exodus of residents.*

*Final thought. I support the Petition and voluntary agreements because they are a better solution than what the Water Department has proposed in the 512 rules.*

*Respectfully,  
Erick and Christy Keerins*

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments  
**Date:** Thursday, October 2, 2025 11:10:25 AM

---

Hello Commissioners,

Please see the attached comments. Thank you!

*[Cassidy Fredlund](#)*

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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---

**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 9:04 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments

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**From:** [bccorelse@frontiernet.net](mailto:bccorelse@frontiernet.net) <[bccorelse@frontiernet.net](mailto:bccorelse@frontiernet.net)>  
**Sent:** Wednesday, October 1, 2025 9:14 AM  
**To:** WRD\_DL\_rule-coordinator <[WRD\\_DL\\_rule-coordinator@water.oregon.gov](mailto:WRD_DL_rule-coordinator@water.oregon.gov)>  
**Subject:** 512 Petition and 512 Rulemaking Comments

---

Hello, and please accept our comments -

- We are commenting on both the "Petition for Rulemaking — Division 512" and the "Agency Proposed Rules — Division 512."
- We do not support the Petition for Rulemaking filed by Representative Mark Owens. It will not adequately protect groundwater in the Harney Basin. I urge the Oregon Water Resources Commission to deny Rep. Owens' petition.
- OWRD's proposed rules already contain extensive concessions to irrigators. We urge OWRD and the Commission to re-evaluate these many concessions to ensure the final rules do not include any unfair giveaways to irrigators that undercut needed protections for groundwater.
- We would like to see OWRD's proposed rules strengthened to better protect groundwater. We would like to see groundwater dependent ecosystems such as springs, wetlands, streams, lakes, and native vegetation better protected. We believe the proposed rules' schedule that allows such a large amount of additional pumping to occur that groundwater levels are not stabilized for 30 more years favors irrigation in an unbalanced manner. A balanced approach requires stabilization far sooner than 30 years.

The Commission should reject the petition's promotion of optional voluntary actions that lack any required pumping reductions. OWRD's proposed rules accommodate alternative voluntary actions where those would meet requirements, and include an adaptive management program. The Commission should not adopt the petition's reckless approach to voluntary agreements, which would only create loopholes and jeopardize long term uses of this tool.

Thank you for your time and consideration of these matters.

Gloria and Bob Ziller  
PO Box 419  
O'Brien, OR 97534

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: public comments on the petition for rulemaking  
**Date:** Thursday, October 2, 2025 11:27:02 AM  
**Attachments:** [Scan Oct 1, 2025 at 3.04 PM.pdf](#)

---

Hello Commissioners,

Please see the attached comments. Thank you!

*Cassidy Fredlund*

Executive Support to the Director  
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**From:** MEINZ Kelly A \* WRD <Kelly.A.MEINZ@water.oregon.gov>  
**Sent:** Thursday, October 2, 2025 9:09 AM  
**To:** FREDLUND Cassidy A \* WRD <Cassidy.A.FREDLUND@water.oregon.gov>  
**Subject:** FW: public comments on the petition for rulemaking

---

**From:** Rob Frank <[rob.frank@harneycountyOR.gov](mailto:rob.frank@harneycountyOR.gov)>  
**Sent:** Wednesday, October 1, 2025 3:45 PM  
**To:** WRD\_DL\_rule-coordinator <[wrd\\_dl\\_rule-coordinator@water.oregon.gov](mailto:wrd_dl_rule-coordinator@water.oregon.gov)>  
**Subject:** public comments on the petition for rulemaking

Below are Harney County's comments on the petition for amendment to the RAC 512 rules. I've included the text below, as well as attached the signed document. Thank you.

Rob Frank  
Harney County Commissioner

Oregon Water Resource Commissioners;

The Harney County Court stands in support of the petitioned amendment to Oregon Administrative Rules Chapter 690, Division 512 regarding Harney Basin groundwater. The Petition, as well as Exhibit B - Harney Basin Water Policy and Management Background, is thorough and we hope that you will read them both in their entirety to better grasp the situation at hand.

In short, the amended rules are more reflective of local knowledge and input, and do not devastate the economy to such a degree as the proposed rules while still achieving stable

groundwater levels in a reasonable timeline based on modeling. This community driven alternative meets the statutory requirements to protect this precious resource.

As the duly elected representative body for our county, we hope that you will not take lightly our recommendation to adopt the amendment as presented.

Respectfully submitted,  
Harney County Court

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: Harney Basin Community Petition Filed September 12  
**Date:** Thursday, October 2, 2025 11:24:03 AM

---

Hello Commissioners,

Please see the attached comments. Thank you!

[Cassidy Fredlund](#)

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 9:08 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: Harney Basin Community Petition Filed September 12

---

**From:** Stephanie Bowen <[sbowen@hec.coop](mailto:sbowen@hec.coop)>  
**Sent:** Wednesday, October 1, 2025 11:42 AM  
**To:** WRD\_DL\_rule-coordinator <[WRD\\_DL\\_rule-coordinator@water.oregon.gov](mailto:WRD_DL_rule-coordinator@water.oregon.gov)>  
**Cc:** Fred Flippence <[frippence@hec.coop](mailto:frippence@hec.coop)>; Justin and Stephanie Bowen <[excelsiorhay@gmail.com](mailto:excelsiorhay@gmail.com)>  
**Subject:** Harney Basin Community Petition Filed September 12

---

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I support the Harney Basin community petition filed September 12 for many reasons. First, it includes a process and criteria for lifting a critical groundwater area designation which is not included in the OWRD Division 512 Rules. My family has a farm near Windy Point, and the petition encourages voluntary actions, and recognizes that groundwater conditions vary in different parts of the basin. These three elements are so important for our family farm. Being included in the NE Crane subarea gives us little hope to keep our junior water rights which are leveraged to help us pay our mortgage. The 35% reduction lowered to 30% does a better job of protecting groundwater rights that were legally granted and are being counted on for those of us who have dutifully followed all of the state laws. I would like to see the Petition Rules go one step further and include a Windy Point sub-basin conservation plan similar to Silver Creek, Silvies River, and Blitzen Voltage. This voluntary agreement is being assessed and developed and it is my hope that the Commission recognizes the value of communities coming together to solve this problem and gives us the ability to do so.

As part of my job at Harney Electric, I am in the trenches with the low-income folks struggling to pay their electric bills, and I cannot support the Division 512 Rules that place

such a heavy burden on the most vulnerable of our population. The Harney County Basin has been facing increasingly serious economic challenges and increasing electric rates to homes across the basin is unconscionable for the state to impose as one example of the unreasonable economic devastation likely resulting from the proposed Div 512 rules. *The petition protects public health, welfare, and safety, by preserving jobs, minimizing cuts to public services, protecting municipal water supplies, focusing regulation where domestic and stock wells have been most impacted, and allowing for an economic transition to absorb the impacts of cuts in groundwater use.*

*The state is required by law to minimize economic impacts. The petition presents an alternative that minimizes economic impacts on small businesses and the community.* I grew up in an economically depressed agricultural community made up of haves and have-nots. The difference in Harney County is that we have a wide range of irrigators and small farms and ranches that make up a vibrant community where we can help support our low-income neighbors. What the Division 512 Rules will do is consolidate water rights to the wealthiest farmers and eliminate the farmers in the middle, which will result in two economic classes similar to where I grew up. The Division 512 Rules sacrifice a healthy, involved community for an unreasonable target groundwater level goal. The petition's groundwater level goals are more nuanced and align with standards and definitions already established.

I am not confident that the Department has been expressing our concerns and comments to the Commission in a manner that increases our chances of success going forward. *The petition will reduce conflict and the costs associated with litigation and will allow our community and groundwater users to invest in water conservation instead.* The community has been made assurances over many years, and those commitments have not come to fruition in these proposed rules. I wish I could understand why our widely recognized models of collaboration in Harney County cannot be counted on as a tool in this endeavor. *In the Harney Basin we have a track record of working together to solve problems collaboratively. The petition recognizes this history and invites the state to work with us.* All the work that has been done between the Department and the community over the past few years is better captured in the petition than the Division 512 Rules.

Thank you for your time,



**Stephanie Bowen**

**Office Manager**

Harney Electric Cooperative, Inc.

PO Box 587 – 277 Lottery Lane

Hines, OR 97738

email: [sbowen@hec.coop](mailto:sbowen@hec.coop)

phone: 541-573-2061

web: [www.hec.coop](http://www.hec.coop)

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments  
**Date:** Thursday, October 2, 2025 11:25:31 AM

---

Hello Commissioners,

Please see the attached comments. Thank you!

*[Cassidy Fredlund](#)*

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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---

**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 9:08 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments

---

**From:** [hfooster730@gmail.com](mailto:hfooster730@gmail.com) <[hfooster730@gmail.com](mailto:hfooster730@gmail.com)>  
**Sent:** Wednesday, October 1, 2025 11:56 AM  
**To:** WRD\_DL\_rule-coordinator <[WRD\\_DL\\_rule-coordinator@water.oregon.gov](mailto:WRD_DL_rule-coordinator@water.oregon.gov)>  
**Subject:** 512 Petition and 512 Rulemaking Comments

Some people who received this message don't often get email from [hfooster730@gmail.com](mailto:hfooster730@gmail.com). [Learn why this is important](#)

I am commenting on both the "Petition for Rulemaking — Division 512" and the "Agency Proposed Rules — Division 512."

- I do not support the Petition for Rulemaking filed by Representative Mark Owens. It will not adequately protect groundwater in the Harney Basin. I urge the Oregon Water Resources Commission to deny Rep. Owens' petition.
- OWRD's proposed rules already contain extensive concessions to irrigators. I urge OWRD and the Commission to re-evaluate these many concessions to ensure the final rules do not include any unfair giveaways to irrigators that undercut needed protections for groundwater.
- I would like to see OWRD's proposed rules strengthened to better protect groundwater. I would like to see groundwater dependent ecosystems such as springs, wetlands, streams, lakes, and native vegetation better protected. I

believe the proposed rules' schedule that allows such a large amount of additional pumping to occur that groundwater levels are not stabilized for 30 more years favors irrigation in an unbalanced manner. A balanced approach requires stabilization far sooner than 30 years.

- The Commission should reject the petition's promotion of optional voluntary actions that lack any required pumping reductions. OWRD's proposed rules accommodate alternative voluntary actions where those would meet requirements, and include an adaptive management program. The Commission should not adopt the petition's reckless approach to voluntary agreements, which would only create loopholes and jeopardize long term uses of this tool.

Harry L. Foster

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: Public Comment on Petition for Admin Rules (OAR)690-512 (Harney Basin)  
**Date:** Thursday, October 2, 2025 11:07:29 AM  
**Attachments:** [HDP Div. 512 Petition Comments 9-30-2025.pdf](#)

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Hello Commissioners,

Please see the attached comments. Thank you!

*Cassidy Fredlund*

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**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 9:02 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: Public Comment on Petition for Admin Rules (OAR)690-512 (Harney Basin)

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**From:** Brenda Smith <[director@highdesertpartnership.org](mailto:director@highdesertpartnership.org)>  
**Sent:** Tuesday, September 30, 2025 4:31 PM  
**To:** WRD\_DL\_rule-coordinator <[WRD\\_DL\\_rule-coordinator@water.oregon.gov](mailto:WRD_DL_rule-coordinator@water.oregon.gov)>  
**Subject:** Public Comment on Petition for Admin Rules (OAR)690-512 (Harney Basin)

---

Some people who received this message don't often get email from [director@highdesertpartnership.org](mailto:director@highdesertpartnership.org). [Learn why this is important](#)

Dear Kelly,  
I have attached an additional comment for consideration in this reopening period for Admin Rules for the Harney Basin.  
Thank you very much,  
Brenda

--  
-

Brenda Smith, Ph.D.  
Executive Director  
[director@highdesertpartnership.org](mailto:director@highdesertpartnership.org)  
541 589-4220  
PO Box 252 Burns, OR 97720



**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments  
**Date:** Thursday, October 2, 2025 11:19:09 AM

---

Hello Commissioners,

Please see the attached comments. Thank you!

*[Cassidy Fredlund](#)*

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 9:06 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments

---

**From:** penelope kaczmarek <[penkaczmarek@gmail.com](mailto:penkaczmarek@gmail.com)>  
**Sent:** Wednesday, October 1, 2025 10:24 AM  
**To:** WRD\_DL\_rule-coordinator <[WRD\\_DL\\_rule-coordinator@water.oregon.gov](mailto:WRD_DL_rule-coordinator@water.oregon.gov)>  
**Subject:** 512 Petition and 512 Rulemaking Comments

Some people who received this message don't often get email from [penkaczmarek@gmail.com](mailto:penkaczmarek@gmail.com). [Learn why this is important](#)

To Whom it May Concern,

We write to comment on both the “Petition for Rulemaking — Division 512” and the “Agency Proposed Rules — Division 512.”

As areas throughout our state fight to hold onto enough water to support the needs of our businesses and all who depend on healthy water to thrive, and while we endeavor to (or at least talk about) more robustly decreasing the carelessness in guarding our water supplies that has historically characterized Oregon’s water use, **we strongly oppose the Petition for Rulemaking as filed by Representative Owen’s**. This proposal belies a very worrisome lack of fact as to what it will take to sufficiently protect groundwater supplies for use in areas such as the Harley Basin.

OWRD and the Commissions have for too long too dependably prioritized support for forward-thinking approaches to water management only in areas of denser

population. For this favoritism they 'reward' *rural* areas with a default, laissez-faire bias to old fashioned, under-regulated, money-making operations. Prioritizing these above smart, compassionate and ethical care of Oregon's struggling land and water systems - in 2025 **still** permitting continued overuse when, by now, the scientific evidence is unequivocally clear it's wrong, and by now we should know better.

We urge OWRD and the Commission to please do what can be done to ensure the final rules do **not** include unfair 'rewards' to irrigators at the cost of desperately needed protections for groundwater.

We also urge you to please **not** adopt the proposed approach promoting voluntary agreements. When livelihoods are perceived as threatened it becomes easy for families/ business owners to think (and *volunteer*) more for themselves than for the greater good - and who can blame them?

In these circumstances voluntary 'agreements' leave far too much room for interpretation and loopholes likely to p further undermine conscientious, skillful and enforceable water management.

Thank you for your work and for your attention.

Respectfully,

Penelope Kaczmarek  
Jack Kaczmarek, MD  
(541) 961-2417  
[penkaczmarek@gmail.com](mailto:penkaczmarek@gmail.com)

|

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments  
**Date:** Thursday, October 2, 2025 11:15:40 AM

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Hello Commissioners,

Please see the attached comments. Thank you!

*[Cassidy Fredlund](#)*

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 9:05 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments

---

**From:** Jim Coverdell <[jimcoverdell8688@gmail.com](mailto:jimcoverdell8688@gmail.com)>  
**Sent:** Wednesday, October 1, 2025 10:10 AM  
**To:** WRD\_DL\_rule-coordinator <[WRD\\_DL\\_rule-coordinator@water.oregon.gov](mailto:WRD_DL_rule-coordinator@water.oregon.gov)>  
**Subject:** 512 Petition and 512 Rulemaking Comments

Some people who received this message don't often get email from [jimcoverdell8688@gmail.com](mailto:jimcoverdell8688@gmail.com). [Learn why this is important](#)

I am commenting on both the "Petition for Rulemaking —Division 512" and the "Agency Proposed Rules — Division 512."

- I do not support the Petition for Rulemaking filed by Representative Mark Owens. It will not adequately protect groundwater in the Harney Basin. I urge the Oregon Water Resources Commission to deny Rep. Owens' petition.
- OWRD's proposed rules already contain extensive concessions to irrigators. I urge OWRD and the Commission to re-evaluate these many concessions to ensure the final rules do not include any unfair giveaways to irrigators that undercut needed protections for groundwater.
- I would like to see OWRD's proposed rules strengthened to better protect groundwater. I would like to see groundwater dependent ecosystems such as springs, wetlands, streams, lakes, and native vegetation better protected. I believe the proposed rules' schedule that allows such a large amount of additional pumping to occur that groundwater levels are not stabilized for 30 more years favors irrigation in an unbalanced manner. A balanced approach

requires stabilization far sooner than 30 years.

- The Commission should reject the petition's promotion of optional voluntary actions that lack any required pumping reductions. OWRD's proposed rules accommodate alternative voluntary actions where those would meet requirements, and include an adaptive management program. The Commission should not adopt the petition's reckless approach to voluntary agreements, which would only create loopholes and jeopardize long term uses of this tool.

Thank you for hearing me,

Jim-

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: I support the Harney Basin community Petition filed on September 12th 2025.  
**Date:** Thursday, October 2, 2025 11:04:05 AM

---

Hello Commissioners,

Please see the attached comments. Thank you!

*Cassidy Fredlund*

Executive Support to the Director  
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**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 8:58 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: I support the Harney Basin community Petition filed on September 12th 2025.

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**From:** Kyla Potter <[kykytre23@gmail.com](mailto:kykytre23@gmail.com)>  
**Sent:** Tuesday, September 30, 2025 10:17 AM  
**To:** WRD\_DL\_rule-coordinator <[WRD\\_DL\\_rule-coordinator@water.oregon.gov](mailto:WRD_DL_rule-coordinator@water.oregon.gov)>  
**Subject:** I support the Harney Basin community Petition filed on September 12th 2025.

Some people who received this message don't often get email from [kykytre23@gmail.com](mailto:kykytre23@gmail.com). [Learn why this is important](#)

I am writing to express my deep concern regarding the current conditions of the underground water basin in Harney County, specifically in relation to the Harney Basin water petition. As a resident of this community, having attended Crane School from preschool until my graduation in 2006, I have witnessed firsthand the vital role that water resources play in sustaining our local economy and community.

My family has been a part of this region since 1968, dedicating nearly 60 years to improving our land and nurturing our community. The potential damage resulting from the proposed alterations to the water basin would not only jeopardize the livelihoods of individual ranching families but also threaten the very existence of Crane School. The displacement of these families could lead to the vulnerability of our school and ultimately its closure.

Moreover, the attraction of teachers and staff to our rural community would diminish significantly in the absence of a robust and supportive local environment. I urge you to consider the long-term impacts on our community's future and to advocate for solutions that protect our precious water resources for generations to come.

I support the Harney Basin community Petition filed on September 12th 2025.

Sincerely,  
Kyla Lafferty

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments  
**Date:** Thursday, October 2, 2025 11:27:58 AM

---

Hello Commissioners,

Please see the attached comments. Thank you!

*[Cassidy Fredlund](#)*

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 9:09 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments

---

**From:** Laurie O'Connor <[laurieoc53@gmail.com](mailto:laurieoc53@gmail.com)>  
**Sent:** Wednesday, October 1, 2025 3:45 PM  
**To:** WRD\_DL\_rule-coordinator <[WRD\\_DL\\_rule-coordinator@water.oregon.gov](mailto:WRD_DL_rule-coordinator@water.oregon.gov)>  
**Subject:** 512 Petition and 512 Rulemaking Comments

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Commissioners,

It is with a heavy heart that I find all of us being pulled into yet another review of OWRD regulatory changes, following nearly ten years of "collaborative" discussions and scientific reviews. Aside from thousands of hours donated by volunteers, how many millions of dollars went into the Harney County Water Collaborative and the scientific research, all aimed to reach a scientific path to sustainable water use?

One of the key spokespersons in this process was Mark Owens, who initially served as a Harney County Commissioner and became our regional Representative in the Oregon Legislature. He worked with OWRD, the Legislature, and in local groups of Harney County to get legislation passed to reform OWRD regulations, claiming he understood the critical need for serious reductions in Basin water usage. Now, he is claiming neither he nor the local community has had ANY SAY in forming the new regulations, and he apparently now feels the science gathered was faulty. Yet, he of

all people was in the room with direct access and large influence through the whole process. By circulating the 512 Petition, he is insulting the process, the volunteers, the legislature, the scientists, and the oversight of OWRD through your Commission.

As I read the 512 Petition, if effective it will seriously undermine any serious improvements to reaching a sustainable level of water usage in the Harney Basin. It is based on hearsay science claiming current water allocations and even more development in certain areas will not further reduce our water levels. The petition also claims that the local community can monitor and improve our water stability. If that is the case, how did we get in this mess? Without regulatory oversight, commercial exploitation of our common resource will only worsen.

The proposed 512 Rulemaking is already much too lenient toward commercial allocation of Harney Basin water. The reductions are slow in coming, allowing up to thirty years to reach only "sustainable" aquifers. There is no intention of restoring the Harney Basin aquifers to a reasonable time and level, which in my opinion should be in the thirty year plan, and restoration should be based in the pre-development era, at least before the year 2000. But in the name of expedience and with generous compromise, many of us have supported the current science and guidelines for 512 Rulemaking, in spite of its generous allowances toward commercial extraction.

If this suspect petition to undermine 512 Rulemaking is successful in undermining the process, I propose the whole study and discussion must start over from the very beginning. Throw it all out. Call for a special legislative session reviewing the petitioners' "new science" and their actual motivations. Give the majority, if silent citizens, time to really hear what is at stake for them and for this community.

But, time is money, and in this case, it is also our future water. Please uphold the 512 Rules as they stand. Let the ongoing review allowances be applied if and when the science indicates that is in order. Please support the best interests of Harney County citizens, now and into the future, with responsible regulations.

Sincerely,  
Laurie O'Connor  
Rural Resident North Harney Lake  
Weaver Springs and Silver Creek

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments  
**Date:** Thursday, October 2, 2025 11:12:11 AM

---

Hello Commissioners,

Please see the attached comments. Thank you!

*[Cassidy Fredlund](#)*

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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---

**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 9:04 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments

---

**From:** Linda Greenman <[lgreenman@comcast.net](mailto:lgreenman@comcast.net)>  
**Sent:** Wednesday, October 1, 2025 9:31 AM  
**To:** WRD\_DL\_rule-coordinator <[WRD\\_DL\\_rule-coordinator@water.oregon.gov](mailto:WRD_DL_rule-coordinator@water.oregon.gov)>  
**Subject:** 512 Petition and 512 Rulemaking Comments

---

Some people who received this message don't often get email from [lgreenman@comcast.net](mailto:lgreenman@comcast.net). [Learn why this is important](#)

I am commenting on both the "Petition for Rulemaking — Division 512" and the "Agency Proposed Rules — Division 512."

- I do not support the Petition for Rulemaking filed by Representative Mark Owens. It will not adequately protect groundwater in the Harney Basin. I urge the Oregon Water Resources Commission to deny Rep. Owens' petition.
- OWRD's proposed rules already contain extensive concessions to irrigators. I urge OWRD and the Commission to re-evaluate these many concessions to ensure the final rules do not include any unfair giveaways to irrigators that undercut needed protections for groundwater.
- I would like to see OWRD's proposed rules strengthened to better protect groundwater. I would like to see groundwater dependent ecosystems such as springs, wetlands, streams, lakes, and native vegetation better protected. I believe the proposed rules' schedule that allows such a large amount of additional pumping to occur that groundwater levels are not stabilized for 30 more years favors irrigation in an unbalanced manner. A balanced approach

requires stabilization far sooner than 30 years.

- The Commission should reject the petition's promotion of optional voluntary actions that lack any required pumping reductions. OWRD's proposed rules accommodate alternative voluntary actions where those would meet requirements, and include an adaptive management program. The Commission should not adopt the petition's reckless approach to voluntary agreements, which would only create loopholes and jeopardize long term uses of this tool.

Thank you,

Linda Greenman

4000 SW Condor Avenue

Portland, OR 97239

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#); [MEINZ Kelly A \\* WRD](#)  
**Subject:** FW: Comments for the Commissioners  
**Date:** Thursday, October 2, 2025 11:36:24 AM  
**Attachments:** [memorandum- model petition questions- Oct 2,2025.docx](#)

---

Hello Commissioners,

Please see the attached comments. Thank you!

*[Cassidy Fredlund](#)*

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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**From:** Lorissa Singhose <[lsinghose@yahoo.com](mailto:lsinghose@yahoo.com)>  
**Sent:** Thursday, October 2, 2025 11:28 AM  
**To:** FREDLUND Cassidy A \* WRD <[cassidy.a.fredlund@water.oregon.gov](mailto:cassidy.a.fredlund@water.oregon.gov)>  
**Subject:** Comments for the Commissioners

Could you please, forward the attached comments to the commissioners.

Thank you,  
Lorissa Singhose

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#); [MEINZ Kelly A \\* WRD](#)  
**Subject:** FW: Comment for the commissioners  
**Date:** Thursday, October 2, 2025 10:45:24 AM  
**Attachments:** [Silver Creek subarea can never be overdrawn chart.docx](#)  
[OWRD Beamer report ET map.pdf](#)

---

Hello Commissioners,

Please see the attached comments. Thank you!

*[Cassidy Fredlund](#)*

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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**From:** Lorissa Singhose <[lsinghose@yahoo.com](mailto:lsinghose@yahoo.com)>  
**Sent:** Wednesday, October 1, 2025 4:50 PM  
**To:** FREDLUND Cassidy A \* WRD <[cassidy.a.fredlund@water.oregon.gov](mailto:cassidy.a.fredlund@water.oregon.gov)>  
**Subject:** Comment for the commissioners

You don't often get email from [lsinghose@yahoo.com](mailto:lsinghose@yahoo.com). [Learn why this is important](#)

Could you please pass these comments on to the commissioners. Please see attached.

Thank you,  
Lorissa Singhose

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: Harney Basin Water Management Petition  
**Date:** Thursday, October 2, 2025 11:05:52 AM

---

Hello Commissioners,

Please see the attached comments. Thank you!

*[Cassidy Fredlund](#)*

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 9:01 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: Harney Basin Water Management Petition

---

**From:** Melodi Molt <[melodimolt1972@gmail.com](mailto:melodimolt1972@gmail.com)>  
**Sent:** Tuesday, September 30, 2025 2:33 PM  
**To:** WRD\_DL\_rule-coordinator <[WRD\\_DL\\_rule-coordinator@water.oregon.gov](mailto:WRD_DL_rule-coordinator@water.oregon.gov)>  
**Subject:** Fwd: Harney Basin Water Management Petition

Some people who received this message don't often get email from [melodimolt1972@gmail.com](mailto:melodimolt1972@gmail.com). [Learn why this is important](#)

----- Forwarded message -----  
**From:** **Melodi Molt** <[melodimolt1972@gmail.com](mailto:melodimolt1972@gmail.com)>  
**Date:** Tue, Sep 30, 2025 at 1:15 PM  
**Subject:** Harney Basin Water Management Petition  
**To:** <[wr\\_dl-rule\\_coordinator@water.oregon.gov](mailto:wr_dl-rule_coordinator@water.oregon.gov)>

**I am in full support of The Harney Basin Community Petition.**

It is a community brought forth petition that will help minimize the Economic destruction of our community.

Agriculture is the mainstream of income of this community. Agriculture is our family's only source of income.

As you read through the petition it allows OWRD to continue to monitor the areas that show declines along with the areas that are stable or showing increases in water tables.

Only some areas have met the criteria for ground water decline. Others have not. The petition recognizes that.

Let the Community Petition fix our problem that the OWRD has created through its mismanagement of over apportioning our ground water resources in some areas.

The petition works collaboratively within the community and OWRD without as much economic downturn.

Louis Molt

RAC Member, farmer & irrigator

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: Still Not Right  
**Date:** Thursday, October 2, 2025 11:32:51 AM  
**Attachments:** [Virginia Valley.odt](#)

---

Hello Commissioners,

Please see the attached comments. Thank you!

*Cassidy Fredlund*

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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**From:** MEINZ Kelly A \* WRD <kelly.a.meinz@water.oregon.gov>  
**Sent:** Thursday, October 2, 2025 9:12 AM  
**To:** FREDLUND Cassidy A \* WRD <Cassidy.A.FREDLUND@water.oregon.gov>  
**Subject:** FW: Still Not Right

---

**From:** Chico Baravelli <[cbaravelli@mail.com](mailto:cbaravelli@mail.com)>  
**Sent:** Thursday, October 2, 2025 8:08 AM  
**To:** MEINZ Kelly A \* WRD <[kelly.a.meinz@water.oregon.gov](mailto:kelly.a.meinz@water.oregon.gov)>; [lsinghose@yahoo.com](mailto:lsinghose@yahoo.com); Rep Owens <[Rep.MarkOwens@oregonlegislature.gov](mailto:Rep.MarkOwens@oregonlegislature.gov)>; Chico Baravelli <[cbaravelli@mail.com](mailto:cbaravelli@mail.com)>  
**Subject:** Still Not Right

Resending the original document. Maybe your Word application will display correctly. Mine won't. Sorry

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments  
**Date:** Thursday, October 2, 2025 11:26:10 AM

---

Hello Commissioners,

Please see the attached comments. Thank you!

*Cassidy Fredlund*

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 9:09 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments

---

**From:** Marjorie Stuart <[marjorie.stuart@gmail.com](mailto:marjorie.stuart@gmail.com)>  
**Sent:** Wednesday, October 1, 2025 3:10 PM  
**To:** WRD\_DL\_rule-coordinator <[WRD\\_DL\\_rule-coordinator@water.oregon.gov](mailto:WRD_DL_rule-coordinator@water.oregon.gov)>  
**Subject:** 512 Petition and 512 Rulemaking Comments

---

Some people who received this message don't often get email from [marjorie.stuart@gmail.com](mailto:marjorie.stuart@gmail.com). [Learn why this is important](#)

To the attention of Kelly Mainz:

- I am commenting on both the "Petition for Rulemaking — Division 512" and the "Agency Proposed Rules — Division 512."
- I do not support the Petition for Rulemaking filed by Representative Mark Owens. It will not adequately protect groundwater in the Harney Basin. I urge the Oregon Water Resources Commission to deny Rep. Owens' petition.
- OWRD's proposed rules already contain extensive concessions to irrigators. I urge OWRD and the Commission to re-evaluate these many concessions to ensure the final rules do not include any unfair giveaways to irrigators that undercut needed protections for groundwater.
- I would like to see OWRD's proposed rules strengthened to better protect groundwater. I would like to see groundwater dependent ecosystems such as springs, wetlands, streams, lakes, and native vegetation better protected. I believe the proposed rules' schedule that allows such a large amount of

additional pumping to occur that groundwater levels are not stabilized for 30 more years favors irrigation in an unbalanced manner. A balanced approach requires stabilization far sooner than 30 years.

- The Commission should reject the petition's promotion of optional voluntary actions that lack any required pumping reductions. OWRD's proposed rules accommodate alternative voluntary actions where those would meet requirements, and include an adaptive management program. The Commission should not adopt the petition's reckless approach to voluntary agreements, which would only create loopholes and jeopardize long term uses of this tool

Marjorie Stuart

Corvallis, OR

Sent from my iPad

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: Yes Vote for Harney Basin Water Petition  
**Date:** Thursday, October 2, 2025 10:51:04 AM

---

Hello Commissioners,

Please see the attached comments. Thank you!

*[Cassidy Fredlund](#)*

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 8:56 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: Yes Vote for Harney Basin Water Petition

---

**From:** Mindy Sheley <[mindysheley@gmail.com](mailto:mindysheley@gmail.com)>  
**Sent:** Monday, September 29, 2025 9:38 AM  
**To:** WRD\_DL\_rule-coordinator <[wrd\\_dl\\_rule-coordinator@water.oregon.gov](mailto:wrd_dl_rule-coordinator@water.oregon.gov)>; Mindy Sheley <[MindySheley@gmail.com](mailto:MindySheley@gmail.com)>  
**Subject:** Yes Vote for Harney Basin Water Petition

---

Some people who received this message don't often get email from [mindysheley@gmail.com](mailto:mindysheley@gmail.com). [Learn why this is important](#)

I am adding my name as a "yes" vote to the Harney Basin Water Petition.

Any current water shortage that is being attributed to agriculture and/or ranching in the Harney Basin, is directly the fault of the State of Oregon! Why? Because the Oregon Department of Water Resources (for a fee) approved every permit for every well drilled in the Harney Basin. Since we purchased our farm in 2003, the State even used taxpayer dollars to drill wells on state land which is adjacent to our property and then leased this land out to alfalfa farmers. In addition, the ODWR (for a fee) compounded their mismanagement by instituting such practices as allowing farmers to transfer their water rights in the amount of "unirrigated pivot corner acreage" to other property. It appears that the State originally had zero concern for any negative impacts they were authorizing upon the ground water resources in the Harney Basin. It appears their only concern was for the amount of revenue they could collect.

Now this same Oregon Department of Water Resources is supposed to be the scientific authority on how to "fix the problem". First they recommended to the Harney Basin Resource Advisory Committee that, based on their collected data, the basin should be divided into 15 separate groundwater units. Then they reduced it to 7 units. Now they have reduced it to 1 unit. I'm sorry but one size does not fit all! The state is required by law to seek public input to the maximum extent possible on rulemaking, especially input from those likely to be affected by the rule. This petition recognizes that groundwater conditions are different in different parts of the basin and that groundwater will be more effectively managed as separate groundwater reservoirs rather than treating the whole basin as a single groundwater reservoir.

We have a USDA Agricultural Research Center located right here in Burns, Oregon. Why is the knowledge of these top researchers not being utilized? We have a Bureau of Land Management Office right here in Hines, Oregon. Why are they not providing a better understanding of the Malheur Forest's upland basin watershed which feeds the lower Harney Basin? In 1990, the Forest Service stopped managing the Malheur Forest. Since then, the forest has grown out of control and transpired massive amounts of water. From that point on, the lower Harney Basin has had less and less water in the ground. Last year, over 210,000 acres of these overgrown forests burned. It seems pretty obvious that less water used in the upper basin results in more water available in the lower basin. However, the state has refused to even consider any amount of water contributed from the Malheur Forest upland basin watershed as a part of the equation in the available ground water to the lower Harney Basin.

The state is also required by law to minimize economic impacts. This petition presents an alternative that minimizes economic impacts on small businesses and the community. This petition encourages programs that will fairly compensate groundwater rights holders who voluntarily cancel their groundwater rights or can no longer use their water rights due to regulation. This petition also provides a pathway through which a critical groundwater area designation could be lifted if groundwater is being sustainably managed.

We are asking the State of Oregon to work with us...not against us. If the ODWR is allowed to ramrod these water restrictions onto Harney Basin - in total violation of our legally established water right contracts - many farmers will not be able to produce enough crop to pay their bills and there will be bankruptcies. It will also make farm property unsellable. Who will want to buy a farm that they have little or no control over their water usage? Or is that the point? What a diabolical way for State environmentalists to take the ownership of water rights and farm land out of the hands of private ownership!

Mndy Sheley

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: Harney Basin Groundwater  
**Date:** Thursday, October 2, 2025 11:08:53 AM

---

Hello Commissioners,

Please see the attached comments. Thank you!

*[Cassidy Fredlund](#)*

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 9:03 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: Harney Basin Groundwater

---

**From:** Nick Schott <[schottagair@gmail.com](mailto:schottagair@gmail.com)>  
**Sent:** Wednesday, October 1, 2025 8:08 AM  
**To:** WRD\_DL\_rule-coordinator <[WRD\\_DL\\_rule-coordinator@water.oregon.gov](mailto:WRD_DL_rule-coordinator@water.oregon.gov)>  
**Subject:** Harney Basin Groundwater

---

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Water Resources Commissioners

725 Summer St NE Ste A

Salem, OR 97301

Dear Water Resources Commissioners,

As a business owner and resident in the Harney Basin, I feel it necessary to write this email in support of the Harney Basin Water Management Petition and the extensive efforts of all parties involved.

My family and I own and operate an aerial application business (Schott Ag Air, LLC) in Burns, Oregon. We started our business in 2012 after recognizing the unique opportunity to live and work in the Harney Basin and throughout Harney County. It is a vast area of land that provides numerous opportunities for producers to grow alfalfa, meadow grass hay, and various grain crops utilizing the use of groundwater irrigation. With that said, the groundwater conditions

are different in different parts of the county, specifically the Harney Basin. The Harney Basin Water Management Petition recognizes that and makes efforts to manage separate groundwater reservoirs separately. I feel fortunate to have had a bird's eye view over the years of the diverse irrigation and growing conditions in this county. I feel very strongly that we are not utilizing one groundwater reservoir, rather numerous reservoirs scattered throughout an immense area.

Due to the numerous cow- calf operations in the region and export hay markets, the growing of local hay crops in the county is vital to the economic success of almost all residents. Our aerial application business is directly linked to the success of all producers throughout this entire county. We apply herbicide, insecticide, fungicide, and reseed pivots and irrigated crops from March-October, as well as, apply seed and herbicide to range ground from November-February. If guidelines included in the Harney Basin Water Management Petition are not practiced and/or utilized, the negative economic impact on our business and our community will be severe. If there are little to no irrigated crops in Harney County, there will be no need for an aerial application business which has thrived in the area for 13 years.

Thank you for taking the time to read this letter, as well as, take into consideration key elements present in the Harney Basin Water Management Petition. I feel it incorporates the needs of our local producers, businesses, and community, while stressing the importance of determining, stabilizing, and maintaining our local groundwater conditions.

Thank you,  
Nick Schott

Schott Ag Air, LLC

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: Comments on Petition for Rulemaking - Division 512  
**Date:** Thursday, October 2, 2025 11:29:36 AM  
**Attachments:** [PHG Harney Basin Petition Support.pdf](#)

---

Hello Commissioners,

Please see the attached comments. Thank you!

*Cassidy Fredlund*

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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---

**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 9:11 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: Comments on Petition for Rulemaking - Division 512

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**From:** phggek at bctonline.com <[phggek@bctonline.com](mailto:phggek@bctonline.com)>  
**Sent:** Wednesday, October 1, 2025 3:53 PM  
**To:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Subject:** Comments on Petition for Rulemaking - Division 512

Kelly,

Please find attached our comments in support of the petition for rulemaking – Division 512.

Please send me a reply to let me know you have received this message and the attached comments.

Regards,

Greg Kupillas  
Pacific Hydro-Geology Inc.  
503.939.3167

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: Dorroh support and public comment for Harney Basin community petition  
**Date:** Thursday, October 2, 2025 11:06:36 AM

---

Hello Commissioners,

Please see the attached comments. Thank you!

*[Cassidy Fredlund](#)*

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 9:02 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: Dorroh support and public comment for Harney Basin community petition

---

**From:** Patty Dorroh <[dorrohmp@gmail.com](mailto:dorrohmp@gmail.com)>  
**Sent:** Tuesday, September 30, 2025 11:08 PM  
**To:** WRD\_DL\_rule-coordinator <[wrd\\_dl\\_rule-coordinator@water.oregon.gov](mailto:wrd_dl_rule-coordinator@water.oregon.gov)>  
**Subject:** Dorroh support and public comment for Harney Basin community petition

Some people who received this message don't often get email from [dorrohmp@gmail.com](mailto:dorrohmp@gmail.com). [Learn why this is important](#)  
September 30, 2025

Oregon Water Resource Commissioners;

I appreciate the opportunity to comment in strong support of the petitioned amendment to Oregon Administrative Rules Chapter 690, Division 512 regarding Harney Basin groundwater, filed September 12, 2025. Harney County has been my home for 23 years.

This is a crossroad juncture: either the State will impose blanket regulations and curtailment across the entire Harney Basin – even in areas where the groundwater is stable – or you may choose to work with the leaders and people of Harney County to address the over-appropriation of water rights in a way that makes sense and does not devastate Harney County's economy to an excessive degree while still achieving stable groundwater levels in a reasonable timeline.

The amended rules reflect something very important that is not captured in the proposed rules: local knowledge, input and buy-in. The people of Harney County want a voice – their voice - reflected in the decisions that will shape our future. The amended rules were developed collaboratively among the County, the cities, the Burns Paiute Tribe, business owners,

irrigators and community members.

The petitioned amendment is thorough. All the important work, analysis and modeling that went into the proposed Division 512 rules all these months by OWRD staff are important contributions contributing to this amendment. The amendment, however, presents a satisfactory alternative that minimizes economic impacts on small businesses and the community. The need to meet this state requirement cannot be emphasized enough.

I urgently and humbly ask that you support the petitioned amendment to Oregon Administrative Rules Chapter 690, Division 512 regarding Harney Basin groundwater. With the assistance and teamwork of OWRD staff to fine tune any minor legal language matters that may exist, this can become the best outcome under challenging circumstances.

Thank you for reading and listening to our comments. Thank you for listening to the people.

Respectfully,

Patty Dorroh  
70839 Crane Buchanan Road  
Burns, OR 97720  
541-589-1898

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments  
**Date:** Thursday, October 2, 2025 11:13:53 AM

---

Hello Commissioners,

Please see the attached comments. Thank you!

Cassidy Fredlund  
Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399

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-----Original Message-----

From: MEINZ Kelly A \* WRD <Kelly.A.MEINZ@water.oregon.gov>  
Sent: Thursday, October 2, 2025 9:04 AM  
To: FREDLUND Cassidy A \* WRD <Cassidy.A.FREDLUND@water.oregon.gov>  
Subject: FW: 512 Petition and 512 Rulemaking Comments

-----Original Message-----

From: Peter Tronquet <pjtronquet@aol.com>  
Sent: Wednesday, October 1, 2025 9:49 AM  
To: WRD\_DL\_rule-coordinator <WRD\_DL\_rule-coordinator@water.oregon.gov>  
Subject: 512 Petition and 512 Rulemaking Comments

[Some people who received this message don't often get email from pjtronquet@aol.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Stop over pumping of groundwater in the Harney Basin. I support the OWRD proposal and reject Rep. Owen's proposal to pump more groundwater, not less. Let the OWRD collaborative process work.

Peter Tronquet ( recreationist in the Harney Basin for 40 years).  
2958 Greenbrae Ct  
Lake Oswego, OR 97034

Sent from my iPad

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: Harney Basin community petition filed September 12  
**Date:** Thursday, October 2, 2025 11:00:20 AM

---

Hello Commissioners,

Please see the attached comments. Thank you!

[Cassidy Fredlund](#)

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 8:58 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: Harney Basin community petition filed September 12

---

**From:** Roger Sheley <[karmafarmer1@gmail.com](mailto:karmafarmer1@gmail.com)>  
**Sent:** Tuesday, September 30, 2025 9:40 AM  
**To:** WRD\_DL\_rule-coordinator <[WRD\\_DL\\_rule-coordinator@water.oregon.gov](mailto:WRD_DL_rule-coordinator@water.oregon.gov)>  
**Subject:** Harney Basin community petition filed September 12

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Some people who received this message don't often get email from [karmafarmer1@gmail.com](mailto:karmafarmer1@gmail.com). [Learn why this is important](#)

I fully support the [Harney Basin community petition filed September 12](#). It is imperative that the community and the Federal land management agencies work together to manage the groundwater issues in Harney County. The current proposal puts the entire onus of the problem on ag irrigators. However, we know that land managers of the adjacent uplands must be included in any ecosystem wide solution to the Harney Basin water issue.

Thank you,  
Roger Sheley  
71111 Ruhl Road  
Burns, Oregon 97720  
541.413.0450

*The petition recognizes that groundwater conditions are different in different parts of the basin and that groundwater will be more effectively managed as separate*

*groundwater reservoirs rather than treating the whole basin as one groundwater reservoir.*

- The petition focuses regulation in the areas where there are clear problems that meet the thresholds for regulatory action.*
- The petition encourages voluntary actions in parts of the basin where groundwater levels are reasonably stable and expected to remain reasonably stable.*
- The petition adjusts proposed boundaries to better reflect our understanding of groundwater conditions in the basin.*
- The state is required by law to minimize economic impacts. The petition presents an alternative that minimizes economic impacts on small businesses and the community.*
- Everyone in Harney Basin relies on groundwater for drinking water. The petition will assure that there are adequate and safe supplies of groundwater for people and livestock. The petition also recognizes the need for ongoing financial and technical assistance for shallow domestic wells that may be impacted by declines.*
- The Harney Basin community cares about our ecosystem. The petition will continue to encourage the collection of information to target actions that restore or maintain the flow of springs important to the Malheur National Wildlife Refuge in partnership with the Refuge.*
- The petition does a better job of protecting groundwater rights that were legally granted and the people who have dutifully followed all of the state laws.*
- In the Harney Basin we have a track record of working together to solve problems collaboratively. The petition recognizes this history and invites the state to work with us.*
- The petition encourages programs that will fairly compensate groundwater rights holders who voluntarily cancel their groundwater rights or can no longer use their water right due to regulation.*
- The petition will minimize the likelihood of having to import hay from other places for Harney Basin ranches and will minimize the likelihood of having to increase electricity rates to homes across the basin.*
- The petition protects public health, welfare, and safety, by preserving jobs, minimizing cuts to public services, protecting municipal water supplies, focusing regulation where domestic and stock wells have been most impacted, and allowing for an economic transition to absorb the impacts of cuts in groundwater use.*
- The petition will reduce conflict and the costs associated with litigation and will allow our community and groundwater users to invest in water conservation instead.*

- *The state is required by law to seek public input to the maximum extent possible on rulemaking, especially input from those likely to be affected by the rule. The petition incorporates public input from those who are likely to be affected by the rule.*
- *The petition provides a pathway through which a critical groundwater area designation could be lifted if groundwater is being sustainably managed.*

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#); [MEINZ Kelly A \\* WRD](#)  
**Subject:** FW: Materials for Water Resources Commissioners for Special Meeting  
**Date:** Thursday, October 2, 2025 11:35:52 AM  
**Attachments:** [Div 512 Side-by-Side Comparison of Proposed Rules 10.01.25 Working Draft.docx](#)  
[Div 512 Summary of Scenarios 10.01.25 Working Draft.docx](#)

---

Hello Commissioners,

Please see the attached comments. Thank you!

*[Cassidy Fredlund](#)*

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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**From:** Harmony Burrigh [harmony@saltandfresh.solutions](mailto:harmony@saltandfresh.solutions)  
**Sent:** Thursday, October 2, 2025 10:49 AM  
**To:** FREDLUND Cassidy A \* WRD [Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov); LANE Mindy J \* WRD [Mindy.J.LANE@water.oregon.gov](mailto:Mindy.J.LANE@water.oregon.gov)  
**Subject:** Materials for Water Resources Commissioners for Special Meeting

Hi Cassidy and Mindy,  
Can you please send along the attached summary documents for the Water Resources Commissioners in advance of their meeting tomorrow. I developed these at the request of community members who were having a difficult time following the process and understanding the differences between things and I expect it might be helpful for the Commissioners as well. I wanted to get it in yesterday, but wanted to update it with more recent information provided by the Department.

With gratitude,  
Harmony

--  
Harmony Burrigh  
541-846-8863  
[harmony@saltandfresh.solutions](mailto:harmony@saltandfresh.solutions)

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: Harney Basin  
**Date:** Thursday, October 2, 2025 10:59:23 AM

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Hello Commissioners,

Please see the attached comments. Thank you!

*[Cassidy Fredlund](#)*

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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---

**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 8:58 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: Harney Basin

---

**From:** Sandy Potter <[sandypotter5127@gmail.com](mailto:sandypotter5127@gmail.com)>  
**Sent:** Tuesday, September 30, 2025 9:27 AM  
**To:** WRD\_DL\_rule-coordinator <[WRD\\_DL\\_rule-coordinator@water.oregon.gov](mailto:WRD_DL_rule-coordinator@water.oregon.gov)>  
**Subject:** Harney Basin

Some people who received this message don't often get email from [sandypotter5127@gmail.com](mailto:sandypotter5127@gmail.com). [Learn why this is important](#)

This is in regards to the underground water conditions in the Harney County Basin.

My name is Sandy Potter. My family took over this cattle and Hay Ranch in 1968 while I was in school. All of my 6 kids were raised here on this ranch and worked it while they were in school. It instilled a very good work ethic for all of them. My son took over the ranch in 2005. He has put his whole life into bettering not only his land, but helps his neighbors and community take care of this special County he have out here. He wants to be able to pass his ranch down to his son's so they can continue a 4 generation built on hard work, family and community. What is being proposed will take that very livelihood away from them which in turn will destroy this community.

I support the Harney Basin Community Petition filed Sept 12th. It matters to my family and our community.

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments  
**Date:** Thursday, October 2, 2025 11:24:47 AM

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Hello Commissioners,

Please see the attached comments. Thank you!

*[Cassidy Fredlund](#)*

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 9:08 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments

---

**From:** Steve Parsons <[sparsons@canby.com](mailto:sparsons@canby.com)>  
**Sent:** Wednesday, October 1, 2025 11:53 AM  
**To:** WRD\_DL\_rule-coordinator <[WRD\\_DL\\_rule-coordinator@water.oregon.gov](mailto:WRD_DL_rule-coordinator@water.oregon.gov)>  
**Subject:** 512 Petition and 512 Rulemaking Comments

Some people who received this message don't often get email from [sparsons@canby.com](mailto:sparsons@canby.com). [Learn why this is important](#)

I am commenting on both the "Petition for Rulemaking — Division 512" and the "Agency Proposed Rules — Division 512"

The last minute effort to circumvent proposed efforts to reduce the over allocation and pumping of groundwater in Oregon is not good for future generations of ranchers and farmers in Harney County. The move seems to be for short term gain, at the loss of water resources that would sustain ranchers and farmers in coming years.

I do not support the Petition for Rulemaking filed by Representative Mark Owens. It will not adequately protect groundwater in the Harney Basin. I urge the Oregon Water Resources Commission to deny Rep. Owens' petition.

The Commission should reject the petition's promotion of optional voluntary actions that lack any required pumping reductions. OWRD's proposed rules

accommodate alternative voluntary actions where those would meet requirements, and include an adaptive management program. The Commission should not adopt the petition's reckless approach to voluntary agreements, which would only create loopholes and jeopardize long term uses of this tool.

Stephen Parsons  
Haines, Oregon

Sent from my iPad

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: Comments on Petition for Rulemaking - Division 512  
**Date:** Thursday, October 2, 2025 11:30:13 AM  
**Attachments:** [Petition\\_TNC\\_Comments\\_10012025.pdf](#)

---

Hello Commissioners,

Please see the attached comments. Thank you!

*[Cassidy Fredlund](#)*

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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---

**From:** MEINZ Kelly A \* WRD <[kelly.a.meinz@water.oregon.gov](mailto:kelly.a.meinz@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 9:11 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: Comments on Petition for Rulemaking - Division 512

---

**From:** Zach Freed <[zach.freed@TNC.ORG](mailto:zach.freed@TNC.ORG)>  
**Sent:** Wednesday, October 1, 2025 4:31 PM  
**To:** WRD\_DL\_rule-coordinator <[wrd\\_dl\\_rule-coordinator@water.oregon.gov](mailto:wrd_dl_rule-coordinator@water.oregon.gov)>  
**Cc:** MEINZ Kelly A \* WRD <[kelly.a.meinz@water.oregon.gov](mailto:kelly.a.meinz@water.oregon.gov)>; FREDLUND Cassidy A \* WRD <[cassidy.a.fredlund@water.oregon.gov](mailto:cassidy.a.fredlund@water.oregon.gov)>  
**Subject:** Comments on Petition for Rulemaking - Division 512

Hi,

Please see attached for The Nature Conservancy's comments to the Water Resources Commission on the petition for rulemaking on Division 512. I appreciate your consideration in advance of Friday's Commission meeting.

Thank you,  
Zach

Zach Freed | Oregon Water Strategy Director  
The Nature Conservancy  
503-802-8151 | [zach.freed@tnc.org](mailto:zach.freed@tnc.org)

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments  
**Date:** Thursday, October 2, 2025 11:17:04 AM

---

Hello Commissioners,

Please see the attached comments. Thank you!

*[Cassidy Fredlund](#)*

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 9:06 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments

---

**From:** Thomas Berridge <[twberridge@gmail.com](mailto:twberridge@gmail.com)>  
**Sent:** Wednesday, October 1, 2025 10:15 AM  
**To:** WRD\_DL\_rule-coordinator <[WRD\\_DL\\_rule-coordinator@water.oregon.gov](mailto:WRD_DL_rule-coordinator@water.oregon.gov)>  
**Subject:** 512 Petition and 512 Rulemaking Comments

Some people who received this message don't often get email from [twberridge@gmail.com](mailto:twberridge@gmail.com). [Learn why this is important](#)

I am commenting on both the "Petition for Rulemaking — Division 512" and the "Agency Proposed Rules — Division 512."

I do not support the Petition for Rulemaking filed by Representative Mark Owens. It will not adequately protect groundwater in the Harney Basin. I urge the Oregon Water Resources Commission to deny Rep. Owens' petition.

OWRD's proposed rules already contain extensive concessions to irrigators. I urge OWRD and the Commission to re-evaluate these many concessions to ensure the final rules do not include any unfair giveaways to irrigators that undercut needed protections for groundwater.

I would like to see OWRD's proposed rules strengthened to better protect groundwater. I would like to see groundwater dependent ecosystems such as springs, wetlands, streams, lakes, and native vegetation better protected. I believe the proposed rules' schedule that allows such a large amount of additional pumping to occur that groundwater levels are not stabilized for 30 more years favors irrigation in an unbalanced manner. A balanced approach requires stabilization far sooner than

30 years.

The Commission should reject the petition's promotion of optional voluntary actions that lack any required pumping reductions. OWRD's proposed rules accommodate alternative voluntary actions where those would meet requirements, and include an adaptive management program. The Commission should not adopt the petition's reckless approach to voluntary agreements, which would only create loopholes and jeopardize long term uses of this tool.

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments  
**Date:** Thursday, October 2, 2025 11:14:52 AM

---

Hello Commissioners,

Please see the attached comments. Thank you!

*[Cassidy Fredlund](#)*

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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---

**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 9:04 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments

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**From:** Todd Sandell <[troutsahoy@gmail.com](mailto:troutsahoy@gmail.com)>  
**Sent:** Wednesday, October 1, 2025 10:00 AM  
**To:** WRD\_DL\_rule-coordinator <[WRD\\_DL\\_rule-coordinator@water.oregon.gov](mailto:WRD_DL_rule-coordinator@water.oregon.gov)>  
**Subject:** 512 Petition and 512 Rulemaking Comments

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I do not support the Petition for Rulemaking filed by Representative Mark Owens. It will not adequately protect groundwater in the Harney Basin. I urge the Oregon Water Resources Commission to deny Rep. Owens' petition. He should have recused himself from this matter as he is personally invested in the outcome.

T. Sandell

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW:  
**Date:** Thursday, October 2, 2025 11:01:55 AM

---

Hello Commissioners,

Please see the attached comments. Thank you!

*[Cassidy Fredlund](#)*

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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---

**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 8:58 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW:

---

**From:** Trenton Potter <[tp754489@gmail.com](mailto:tp754489@gmail.com)>  
**Sent:** Tuesday, September 30, 2025 10:13 AM  
**To:** WRD\_DL\_rule-coordinator <[WRD\\_DL\\_rule-coordinator@water.oregon.gov](mailto:WRD_DL_rule-coordinator@water.oregon.gov)>  
**Subject:**

Some people who received this message don't often get email from [tp754489@gmail.com](mailto:tp754489@gmail.com). [Learn why this is important](#)

We, the undersigned, support the Harney Basin community petition filed on September 12 regarding the management of groundwater resources in the Harney Basin.

Groundwater conditions vary widely across the basin, and these differences must be recognized in order to ensure fair, effective, and sustainable water management. A “one-size-fits-all” approach will harm families, farms, ranches, businesses, and communities who depend on this essential resource.

We respectfully ask that the Oregon Water Resources Department adopt the following guiding principles, as reflected in the petition:

- **Recognition of Local Variability:** Groundwater is best managed as separate groundwater reservoirs, not as one single basin-wide reservoir. Regulation should focus on areas with clear, measurable problems that meet thresholds for regulatory action, not blanket restrictions applied without distinction.
- **Science-Based Boundaries:** Boundaries should be adjusted to reflect the best

available science and local knowledge of groundwater conditions, ensuring that management decisions are based on accurate data rather than assumptions.

- **Encouragement of Voluntary Actions:** In areas where groundwater is stable and expected to remain so, voluntary actions should be encouraged rather than mandatory regulations. The Harney Basin community has a proven track record of cooperation, innovation, and shared stewardship, which should be supported and expanded.
- **Protection of Small Businesses and Families:** The petition minimizes economic impacts on small businesses, irrigators, and family ranching and farming operations, all of which form the backbone of our rural economy. Overly broad rules would jeopardize livelihoods and undermine the resilience of our communities.
- **Preservation of Public Health and Safety:** The petition safeguards domestic and stock wells, which are vital for drinking water, livestock care, and public health. Protecting these wells ensures security for households and animal agriculture alike.
- **Fairness and Respect for Legal Rights:** It protects water rights that were legally granted and exercised in good faith, avoiding unnecessary legal conflict and instead promoting cooperation and shared responsibility for long-term water management.
- **Collaborative Problem-Solving:** By prioritizing local involvement and solutions, the petition empowers those most directly affected by groundwater management decisions. The people of Harney Basin have long demonstrated the ability to solve problems together, and they should remain central to any future decisions.

Adopting the community petition will:

- Support sustainable groundwater use while allowing for economic stability.
- Avoid costly and divisive litigation by encouraging dialogue and collaboration.
- Provide a fair and balanced framework that accounts for unique conditions within the basin.
- Ensure reliable, safe, and sustainable groundwater supplies for future generations.

Everyone in the Harney Basin depends on groundwater for drinking water, livestock, crops, and community well-being. We believe this petition provides the best path forward to balance science, fairness, and sustainability.

I urge the Oregon Water Resources Department to adopt the Harney Basin community petition and reject blanket regulations that fail to reflect the realities of our basin. The future of our families, our economy, and our way of life depends on wise, locally informed water management.

**Signed,**  
Trenton Potter

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments  
**Date:** Thursday, October 2, 2025 11:16:17 AM

---

Hello Commissioners,

Please see the attached comments. Thank you!

[Cassidy Fredlund](#)

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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---

**From:** MEINZ Kelly A \* WRD <[Kelly.A.MEINZ@water.oregon.gov](mailto:Kelly.A.MEINZ@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 9:05 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: 512 Petition and 512 Rulemaking Comments

---

**From:** Walter Petty <[wpetty33@netscape.net](mailto:wpetty33@netscape.net)>  
**Sent:** Wednesday, October 1, 2025 10:14 AM  
**To:** WRD\_DL\_rule-coordinator <[wrd\\_dl\\_rule-coordinator@water.oregon.gov](mailto:wrd_dl_rule-coordinator@water.oregon.gov)>  
**Subject:** 512 Petition and 512 Rulemaking Comments

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Some people who received this message don't often get email from [wpetty33@netscape.net](mailto:wpetty33@netscape.net). [Learn why this is important](#)

[Kelly Mainz with OWRD](#)

- I am commenting on both the "Petition for Rulemaking — Division 512" and the "Agency Proposed Rules — Division 512."
- I do not support the Petition for Rulemaking filed by Representative Mark Owens. It will not adequately protect groundwater in the Harney Basin. I urge the Oregon Water Resources Commission to deny Rep. Owens' petition.
- OWRD's proposed rules already contain extensive concessions to irrigators. I urge OWRD and the Commission to re-evaluate these many concessions to ensure the final rules do not include any unfair giveaways to irrigators that undercut needed protections for groundwater.
- I would like to see OWRD's proposed rules strengthened to better protect groundwater. I would like to see groundwater dependent ecosystems such as springs, wetlands, streams, lakes, and native vegetation better protected. I believe the proposed rules' schedule that allows such a large amount of additional pumping to occur that groundwater levels are not stabilized for 30

more years favors irrigation in an unbalanced manner. A balanced approach requires stabilization far sooner than 30 years.

- The Commission should reject the petition's promotion of optional voluntary actions that lack any required pumping reductions. OWRD's proposed rules accommodate alternative voluntary actions where those would meet requirements, and include an adaptive management program. The Commission should not adopt the petition's reckless approach to voluntary agreements, which would only create loopholes and jeopardize long term uses of this tool.

We must protect our groundwater before it is too late.

Thanks You,

Walter

Walter Petty  
1979 Villard St  
Eugene, OR 97403

**From:** [Christopher Hall](#)  
**To:** [FREDLUND Cassidy A \\* WRD](#); [LANE Mindy J \\* WRD](#); [HARTT Laura A \\* WRD](#); [MEINZ Kelly A \\* WRD](#)  
**Cc:** [WRD\\_DL\\_rule-coordinator](#)  
**Subject:** Water League Comments for Agenda Item A of the WRC Meeting October 3, 2025  
**Date:** Wednesday, October 1, 2025 11:30:48 AM  
**Attachments:** [WL Comments on DIV 512 Comments on DIV 512 Petition October 3 2025 WRC October 3 2025 WRC.pdf](#)

---

You don't often get email from [chris@waterleague.org](mailto:chris@waterleague.org). [Learn why this is important](#)

Dear all,

Please see attached to this email Water League's Comments for *Agenda Item A* of the WRC Meeting on October 3, 2025. Please forward our comments to the Water Resource Commissioners.

[A link to our comments may also be found here.](#)

These comments are a fragment of our extensive comments that will be forthcoming on the *Petition for Rulemaking to Amend Oregon Administrative Rules Chapter 690, Division 512 (Malheur Lake Administrative Basin)* before the October 7, 2025, deadline.

Please confirm receipt of this email and comments.

Thank you,

Christopher Hall  
Executive Director  
Water League  
PO Box 1033  
Cave Junction, OR 97523  
(541) 415-8010  
[www.waterleague.org](http://www.waterleague.org)

# WATER LEAGUE

*Engaging the public  
in water stewardship.*

P.O. Box 1033  
Cave Junction, OR  
97523

chris@waterleague.org  
(541) 415-8010

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Christopher Hall

**In Memoriam**  
John L. Gardiner

October 1, 2025

To: Water Resources Commission

Julie Smitherman, Vice-Chair

Commissioners Kathy Kihara, Jan Lee, Joe Moll, Janet Neuman, and Woody Wolfe

CC: OWRD Staff

Kelly Meinz, Water Policy Analyst

Laura Hartt, Water Policy Analyst

Mindy Lane, Executive Support to the Deputies

Cassidy Fredlund, Executive Support Specialist

Oregon Water Resources Department  
725 Summer St. NE, Suite A  
Salem, OR 97301-1271

Dear Vice-Chair Smitherman and Commissioners,

Water League submits our comments on *The Petition to Amend Oregon Administrative Rules (OAR) Chapter 690, Division 512* to the Water Resources Commission in advance of the October 3, 2025 meeting for your consideration.

As always, we appreciate the opportunity to share our thoughts.

Thank you,



Christopher Hall  
Executive Director

**Comments on The Petition to Amend Oregon Administrative Rules (OAR)  
Chapter 690, Division 512**

By Christopher Hall, Water League – October 1, 2025

The Petition to Amend Oregon Administrative Rules (OAR) Chapter 690, Division 512 (the “Petition”) is the quintessential example of sophistry, the rhetorical art of subterfuge. In this case, the Petition’s Authors establish a baseless foundation upon which they build layers of subsequent falsehoods to manufacture an untenable conclusion on behalf of their interests to maintain the status quo: over-pumping the groundwater reservoirs of the Harney Basin to the greatest extent possible.

Across 27 section headings, the Authors misappropriate the numerous laws they cite in the same way they misappropriate the scientific research and data. They attempt to gain credibility for their unfounded assertions and conclusions by wearing the mantle of legitimacy that inheres in the laws and science. However, to put these credible authorities to the task of buttressing their contrived narrative, the Authors must misconstrue and misrepresent the intent of the policies and the findings, respectively.

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While we are surprised by the brazen mendacity running throughout the Petition, we acknowledge that this Petition is otherwise an expected development that irrigators and their aligned cohort have progressed toward since OWRD began the Division 512 rulemaking process. For decades, there has been a pattern of resentment towards the state government’s preemptive authority to manage the large-scale water use draining the basin at the rate of 110,000 acre feet per year. The refusal to lawfully comply with the statutory *decline conditions* on water rights is just one example; the presence of the Tragedy of the Commons evinces the tension underlying compliance with the laws and rules governing water use management.

OWRD prescribed the 2023-2025 Division 512 rulemaking in the existing 2016 Division 512 rules. During the intervening years, OWRD, irrigators, and others shaped place-based planning alongside this expectation. As the rulemaking first emerged and then coalesced in 2023, irrigators began to engage in obstructionism during Rules Advisory Committee (RAC) meetings, marked by: filibustering; misdirecting discussions through extensive bird walking, dragging red herrings across topics, constructing strawman arguments, and raising non sequiturs; deflecting both questions and answers by all means possible; feigning confusion in a coordinated and structured manner; denying peer-reviewed science without the professional qualifications to do so while proclaiming personal anecdotal experience is a fungible substitute; and on occasion, staging coordinated dissent tinged with ad hominem attacks against OWRD staff, and when that failed, political theatre contrived to manipulate state officials' emotions.

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When that legislative override failed and the RAC process concluded, the Secretary of State hosted the public comment period. Representative Mark Owens then submitted the Petition on his official House District 60 letterhead, as a third countervailing force to OWRD's rulemaking process. While OAR 137-0070(2)(a) requires petitions to respond to existing rules, this Petition substantially reacts to OWRD's proposed rules. As such, the Petition is a rushed and poorly contrived political maneuver intended to obstruct the science-based policy goals for water management that OWRD has identified to be in the interests of Oregon's citizenry. This circumstance is yet another front in the entrenched struggle between individual interests and the greater public interest.

The Petition sacrifices intellectual honesty and objective truth in an attempt to prevail over the OWRD rulemaking process:

First, the Authors misappropriate the USGS/OWRD groundwater study referred to herein as “Gingerich et.al., 2022.” In so doing, they deliberately misrepresent the findings of one groundwater system by falsely declaring that the Harney Basin comprises five groundwater reservoirs. This improper stratification is the pretext for gerrymandering the Greater Harney Valley Groundwater Area of Concern (GHVGAC) into five Critical Groundwater Areas (CGWA) instead of one CGWA with multiple subareas, as OWRD has posited. By this fragmentation, the Authors then grade their five groundwater reservoirs on a curve and declare that most of the regions look *reasonably stable* compared to Weaver Springs and Crane. In doing so, they deny the scientific research, which concludes that the entire GHVGAC experiences the effects of excessively declining groundwater levels. By this denial, the Authors appeal to a much less rigorous standard that only requires the state to maintain reasonably stable groundwater levels, a condition OWRD contends the hydrologically-connected basin blew past many years ago. The Authors minimize these hydrologic facts to manufacture their conclusion: since the groundwater crisis is not much of a problem, as they see it, they can manage their own affairs alongside substantially fewer water use curtailments.

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183.390(3)(b) would.

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We surmise that the Petition triggers a process similar to a petition for *certiorari* or for a writ of *mandamus*. The Petition is not a collective petition like a ballot initiative that uses the collective weight of its signatories to compel action. ORS 183.390 is about the worthiness of the idea and how petitions and public comments shape the idea; whereas with collective petitions, brute force can sometimes advance the worst ideas, which is not what ORS 183.390 is about.

**From:** [FREDLUND Cassidy A \\* WRD](#)  
**Cc:** [LANE Mindy J \\* WRD](#)  
**Subject:** FW: WaterWatch's comments for the 10-3-2025 WRC meeting re the 512 rulemaking petition  
**Date:** Thursday, October 2, 2025 11:31:13 AM  
**Attachments:** [WaterWatch's initial comments re Div 512 PFR\\_WRC 10-3-2025 \(10-1-2025\).pdf](#)

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Hello Commissioners,

Please see the attached comments. Thank you!

[Cassidy Fredlund](#)

Executive Support to the Director  
725 Summer St NE Suite A | Salem, OR 97301 | Cell 541-551-1399



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**From:** MEINZ Kelly A \* WRD <[kelly.a.meinz@water.oregon.gov](mailto:kelly.a.meinz@water.oregon.gov)>  
**Sent:** Thursday, October 2, 2025 9:12 AM  
**To:** FREDLUND Cassidy A \* WRD <[Cassidy.A.FREDLUND@water.oregon.gov](mailto:Cassidy.A.FREDLUND@water.oregon.gov)>  
**Subject:** FW: WaterWatch's comments for the 10-3-2025 WRC meeting re the 512 rulemaking petition

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**From:** Lisa Brown <[lisa@waterwatch.org](mailto:lisa@waterwatch.org)>  
**Sent:** Wednesday, October 1, 2025 4:58 PM  
**To:** FREDLUND Cassidy A \* WRD <[cassidy.a.fredlund@water.oregon.gov](mailto:cassidy.a.fredlund@water.oregon.gov)>; MEINZ Kelly A \* WRD <[kelly.a.meinz@water.oregon.gov](mailto:kelly.a.meinz@water.oregon.gov)>  
**Subject:** WaterWatch's comments for the 10-3-2025 WRC meeting re the 512 rulemaking petition

Please find attached WaterWatch's comments for the 10-3-2025 WRC meeting re the 512 rulemaking petition.

Best,

**Lisa Brown** | Staff Attorney  
WaterWatch of Oregon  
P: 503.295.4039  
213 SW Ash St, Suite 208  
Portland, OR 97204  
[www.waterwatch.org](http://www.waterwatch.org)

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DATE: October 1, 2025

VIA EMAIL: [mindy.j.lane@water.oregon.gov](mailto:mindy.j.lane@water.oregon.gov)

TO: Water Resources Commission

RE: Comments on Special Meeting Agenda Item A, Petition for Rulemaking to Amend OAR Chapter 690, Division 512 (Malheur Lake Administrative Basin)

Dear Vice-Chair Smitherman and Members of the Commission,

Environmental Defense Fund (EDF) appreciates this opportunity to provide comment on the Petition for Rulemaking dated September 11, 2025 (“Petition”). **EDF continues to support the science-based proposed rules developed by the Rules Advisory Committee**—rules that address over-extraction of groundwater and return the basin aquifer to stability on a timeline that accounts for aquifer conditions and community needs. EDF also supports minor adjustments to the proposed rules to clarify their applicability to water rights of the Burns Paiute Tribe.

Groundwater is under unprecedented pressure worldwide from overuse, pollution, and climate change. EDF partners with communities across the globe to support their efforts in developing pragmatic approaches to sustainably manage their groundwater resources. We are committed to the principle that sustainable groundwater management is most effective when it is grounded in science and data, tailored to a local context and needs, and supported by accountable authorities that establish and manage within clear guardrails to achieve objectives.

EDF’s engagement in the Harney Basin reflects these principles. In 2022, EDF published an analysis of Oregon’s voluntary agreement statute in support of and collaboration with the Harney Basin Community-Based Water Planning Collaborative. This effort helped to lay the foundation for the development of the state’s first voluntary agreements since adoption of the 1955 Groundwater Act, which are slated for Commission consideration later this year. EDF also helped build and launch OpenET, working alongside a consortium of scientists, government agencies, and farmers. OpenET is a publicly accessible web platform that provides free, scientifically robust evapotranspiration (ET) data which is used for groundwater basin studies and is being considered as a tool to support transparent implementation of the Harney CREP.

EDF supports the proposed rules developed by the Rules Advisory Committee because **they provide a data-driven, science-based pathway to groundwater stability while balancing community and economic needs**. The proposed rules establish a clear and measurable standard: by 2058, groundwater levels across all subareas must achieve durable stability. To meet this standard, permissible total withdrawals (PTWs) were optimized in each subarea to allow the maximum amount of pumping possible without undermining the goal of stability.

The framework established in the proposed rules produces meaningful benefits for people and the aquifer. The proposed rules provide a 30-year glidepath to transition toward sustainable withdrawals, giving producers and communities time and certainty to adapt. Model results show that groundwater levels will be stable by the end of this period. Achieving stable groundwater levels across the basin will reduce the number of domestic wells that go dry,<sup>1</sup> helping avoid hundreds of thousands of dollars in costs for residents and taxpayers.<sup>2</sup> Stability also means less stress on springs, streams, and natural evapotranspiration, protecting ecological values and community water supplies alongside agricultural production.

In short, the proposed rules create a transparent path forward that maximizes economic continuity while securing the basin's groundwater resources for future generations.

Thank you for your consideration of our comments.

Sincerely,



Rachel O'Connor

Director, Climate Resilient Water Systems

Cc:

Kelly Meinz, Rulemaking Coordinator ([WRD\\_DL\\_rule-coordinator@water.oregon.gov](mailto:WRD_DL_rule-coordinator@water.oregon.gov))

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<sup>1</sup> Oregon Water Resources Department. (2025, September 30). *Technical Evaluation of Petition to Amend Division 512* (Ben Scandella & Darrick Boschmann, Groundwater Section). <https://www.oregon.gov/owrd/programs/policyandrules/OARS/Documents/Memo%20-%20Technical%20Evaluation%20of%20Petition%20to%20Amend%20Division%20512.pdf> (“Overall, an additional 25 domestic wells are modeled as dry in 2058 under the Petition Proposal as compared to the OWRD proposal.”)

<sup>2</sup> Oregon Water Resources Department. *Fiscal and economic impacts: Critical Groundwater Area* [PDF]. Retrieved from <https://www.oregon.gov/owrd/Documents/CGWA%20Fiscal%20Impact.pdf>. (“For a well repair, replacement, and abandonment project in Harney County, the costs were: Average cost of \$25K; Maximum cost of \$40K; Minimum cost of \$8K.”)

Oregon Water Resource Commissioners;

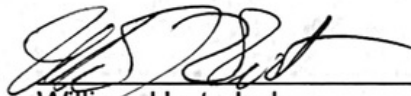
The Harney County Court stands in support of the petitioned amendment to Oregon Administrative Rules Chapter 690, Division 512 regarding Harney Basin groundwater. The Petition, as well as Exhibit B - Harney Basin Water Policy and Management Background, is thorough and we hope that you will read them both in their entirety to better grasp the situation at hand.

In short, the amended rules are more reflective of local knowledge and input, and do not devastate the economy to such a degree as the proposed rules while still achieving stable groundwater levels in a reasonable timeline based on modeling. This community driven alternative meets the statutory requirements to protect this precious resource.

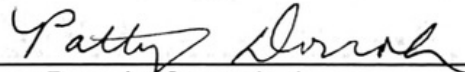
As the duly elected representative body for our county, we hope that you will not take lightly our recommendation to adopt the amendment as presented.

Respectfully submitted,

Harney County Court



William Hart, Judge



Patty Dorroh, Commissioner



Rob Frank, Commissioner

September 30, 2025

Kelly Meinz – Rulemaking Coordinator  
Oregon Water Resources Department  
725 Summer St. N.E. Suite A  
Salem, OR 97301-1271

Subject: Comment on Harney Petition to Amend Oregon Administrative Rules Chapter 690, Division 512

Dear Mr. Meinz,

On behalf of the High Desert Partnership, we would like to express continued support for meaningful public involvement in an adaptive management/ implementation approach for groundwater in the Harney Basin. We previously submitted directly to the Department and previously submitted in the earlier comment period for consideration a proposal for High Desert Partnership to convene an implementation collaborative that utilized adaptive management. In Harney County much of our community would like to work with the Department to meet sustainable groundwater management that balances social, economic, and environmental needs and considerations. At High Desert Partnership, we are an organization that successfully convenes collaborative groups through understanding and navigating complex tradeoffs and finding solutions that are supported by different interests who might otherwise be at odds. We are also fundraising to support this collaborative effort, we are not requesting state funds to support this effort.

As a Div 512 RAC member for the Harney Basin, I have always viewed an important part of my role to ensure that all that wanted to participate and be part of the process had that opportunity. I am not sure that I was particularly successful in that role but staying impartial and paying attention to the process is keenly important in my position at High Desert Partnership. It remains important that the Department be meaningfully engaged in that process as well for success in addressing these very complex issues as they relate to groundwater reduction.

As with the Division 512 comment we submitted we once again are requesting an adaptive management/ implementation approach with community involvement as that has been consistently supported by members of the community who are putting forward this petition. We are especially committed to working with other partners, including the Harney County Watershed Council, to ensure that a groundwater collaborative is inclusive, transparent, well resourced, and effective as we weave together regulatory and voluntary approaches and transition to implementation of our community based integrated water resources plan. Success of any collaborative and adaptive approach will be largely dependent upon the Department's active participation, leadership, and continued provision of technical information and assistance.

Sincerely,

*Brenda Smith*

Brenda Smith, Ph.D.  
Director, High Desert Partnership

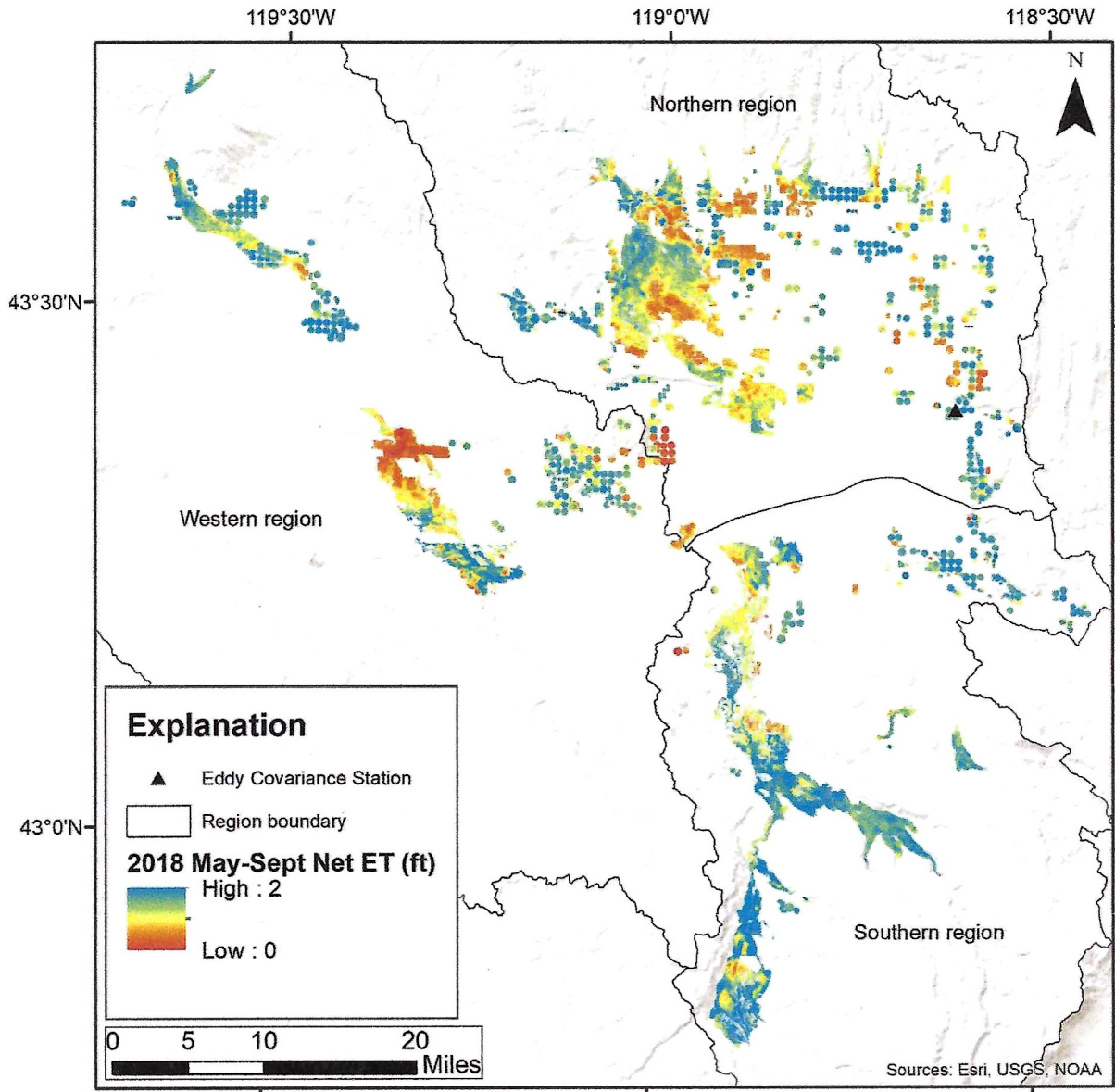


Figure 12. Net ET for Harney Basin and location of ET station, May-September 2018.

*Pacific Hydro-Geology Inc.*

18487 S. Valley Vista Rd.  
Mulino, OR 97042  
(503) 632-5016

October 1, 2025

Mr. Kelly Mainz  
Rules Coordinator  
Oregon Water Resources Department  
725 Summer St. N.E. Ste. A  
Salem, Oregon 97301

RE: Comments in Support of Petition for Rulemaking – Division 512

Dear Mr. Mainz:

We are submitting these comments in support of the Petition for Rulemaking to Amend Oregon Administrative Rules Chapter 690, Division 512 (Petition). We understand that the OWRD has recently completed an evaluation of the Petition and found that the measures proposed in the Petition would not be as effective as the proposed rules in reducing long-term water level declines in the Harney Basin. The OWRD's findings are based on the results from modeling the petitioner's groundwater management scenarios. The Department acknowledges the uncertainties and limitations of groundwater flow models. We concur, and we also have concerns about the OWRD's characterization of the basin hydrogeology and development of the groundwater model, which we have expressed in comments on the rulemaking, previously submitted.

Therefore, we support the Petition because we believe it provides a more balanced approach to addressing the interests of all water users in the basin. More specifically, the Petition focuses on solutions in the areas which are experiencing the greatest groundwater level declines, attempts to minimize the negative impacts to the region's economy, and emphasizes voluntary participation from groundwater users, while allowing for making adjustments in the groundwater management scenarios if the desired results are not being achieved.

Sincerely,

Gregory E. Kupillas, R.G., C.W.R.E.  
Malia R. Kupillas, R.G., C.W.R.E.

# WATER LEAGUE

*Engaging the public  
in water stewardship.*

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John L. Gardiner

October 1, 2025

To: Water Resources Commission

Julie Smitherman, Vice-Chair

Commissioners Kathy Kihara, Jan Lee, Joe Moll, Janet Neuman, and Woody Wolfe

CC: OWRD Staff

Kelly Meinz, Water Policy Analyst

Laura Hartt, Water Policy Analyst

Mindy Lane, Executive Support to the Deputies

Cassidy Fredlund, Executive Support Specialist

Oregon Water Resources Department  
725 Summer St. NE, Suite A  
Salem, OR 97301-1271

Dear Vice-Chair Smitherman and Commissioners,

Water League submits our comments on *The Petition to Amend Oregon Administrative Rules (OAR) Chapter 690, Division 512* to the Water Resources Commission in advance of the October 3, 2025 meeting for your consideration.

As always, we appreciate the opportunity to share our thoughts.

Thank you,



Christopher Hall  
Executive Director

**Comments on The Petition to Amend Oregon Administrative Rules (OAR)  
Chapter 690, Division 512**

By Christopher Hall, Water League – October 1, 2025

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## WaterWatch of Oregon

Protecting Natural Flows In Oregon Rivers

Oregon Water Resources Commission

Sent via email to: [cassidy.a.fredlund@water.oregon.gov](mailto:cassidy.a.fredlund@water.oregon.gov); [kelly.a.meinz@water.oregon.gov](mailto:kelly.a.meinz@water.oregon.gov)

October 1, 2025

### **RE: Initial Written Comments on the Div. 512 Petition for Rulemaking for the October 3<sup>rd</sup> WRC meeting**

Dear Oregon Water Resources Commission:

Thank you for the opportunity to provide these initial written comments in advance of your October 3<sup>rd</sup> meeting regarding the Division 512 petition for rulemaking filed by Representative Owens (petition). We will be filing more detailed comments by October 7<sup>th</sup> but wanted to ensure that the Commission had these in advance of the meeting.

We oppose the petition for reasons including but not limited to: it fails to stabilize or adequately protect groundwater, fails to meet relevant standards, abandons important components of the Department's Proposed Rules for Division 512 (Proposed Rules), and contains inaccurate information.

#### **Comments**

##### **1. Voluntary Agreements**

For all but two sub-areas, the petition proposes to replace required pumping reductions with language requiring the Oregon Water Resources Department (Department or OWRD) to “[p]romote and support a voluntary agreement among groundwater users.” (*See* Petition, *Petition Proposed* OAR 690-512-0080(2)(a); -0090(2)(a); and -0010(2)(a) (*sic*), Ex. A at 16, 18, 22 (Adobe p. 52, 54, 58) for Silver Creek, Silvies River and Blitzen-Voltage sub-areas respectively). However, we do not see any language in the petition's proposed rules that require any irrigators to actually form voluntary agreements or to voluntarily reduce any groundwater use through such agreements. Voluntary agreements are, by statute, agreements formed among groundwater users that can be approved by the Commission if meeting certain standards. ORS 537.745. While the petition requires the Department to “promote and support” voluntary agreements<sup>1</sup>, this does not equate to irrigators actually forming any voluntary agreements, or accomplishing any level of curtailment result from any such agreements.

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<sup>1</sup> Given that voluntary agreements are agreements among groundwater users (ORS 537.745), it is unclear why the irrigators feel that the Department needs to “promote” these or what that would entail.

In reality, the petition would allow for continued full pumping, and even increased pumping as any un- or partially developed permits are further developed,<sup>2</sup> in Silver Creek, Silvies River and Blitzen-Voltage sub-areas until groundwater levels drop 25 feet and OWRD undertakes an additional process to establish a permissible total withdrawal. (*Petition Proposed* OAR 690-512-0080(3); -0090(3); and -0010(3) (*sic*)).

The absence of any voluntary agreement to date for reducing groundwater pumping in the Harney Basin, despite groundwater declines being a known issue for almost two decades (Petition, Ex. B at 1 (Adobe p. 77)), demonstrates that in the absence of a regulatory requirement, irrigators are not forming these voluntary agreements. There is no reason to expect a different result under the petition.

Importantly, the Department's Proposed Rules already fully accommodate voluntary agreements, should any irrigators choose to use that tool. Under the Proposed Rules, irrigators can utilize voluntary agreements to come up with and implement alternative methods for meeting pumping reductions, rather than simply curtailing by priority date. As detailed below the Proposed Rules also contain an Adaptive Management program, which the petition deletes, under which curtailment would be reduced if groundwater levels trends are better than projected. This program would further accommodate voluntary agreements by cutting back on curtailment if irrigators' voluntary reductions stabilized groundwater faster than the Department projects.

In sum, the petition's reference to voluntary agreements for three sub-areas while failing to provide any required cutbacks on pumping will fail to protect groundwater and is unlikely to succeed. The Proposed Rules contain a much more robust opportunity to employ voluntary agreements in ways that can set the basin on a more sustainable path.

## **2. Adaptive Management Program**

The Proposed Rules contain an Adaptive Management program that would, in lay person's terms, utilize data to determine whether the groundwater level trend is better or worse than the modelling projected it would be at that time. *OWRD Proposed* OAR 690-512-0080. The program then allows for the schedule and extent of curtailment to be reduced or increased accordingly. The idea for an adaptive management program came from the RAC and the Discussion Group that met between RAC meetings. The RAC spent considerable time discussing this program as it was being developed. By all accounts, the Adaptive Management program was well received and supported. While it could be improved in certain regards, this is an important program for ensuring the long term sustainability of the basin. Yet, despite many petitioners requesting this program, petitioners have dropped the program from their proposed rules.

## **3. The Department's Technical Evaluation of Petition to Amend Division 512 memorandum confirms deficiencies of the petition.**

The Department's recently issued memorandum with the subject Technical Evaluation of

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<sup>2</sup> The exclusion from the permissible total withdrawal of wells where construction was not initiated by December 31, 2024 would presumably not apply unless and until a permissible total withdrawal was set and not during any voluntary action period. (*Petition Proposed* OAR 690-512-0080(1)(a); -0090(1)(a); and -0010(1)(a) (*sic*)).

Petition to Amend Division 512 (Memo) confirms that, when compared to the Proposed Rules, the petition would result in lower groundwater levels; fail to stabilize groundwater levels; dry up significantly more domestic wells; and create more harm to groundwater dependent ecosystems and native vegetation.

We very much appreciate the Department's work on the Memo. However, we believe it was incorrect to model the Petition Proposal as though in Silver Creek, Silvies River and Blitzen-Voltage sub-areas, "10% voluntary reductions from 2017/2018 mean pumping are *required* by 2040." (Memo at 2 (emphasis added)). Again, we do not read the petition to require *any pumping reductions* in those sub-areas, but rather only to require the Department to "promote and support" voluntary agreements. (See citation in #1 above). Accordingly, we think that for these three sub-areas, the Memo's "Full Pumpage" scenario more accurately portrays the petition (though it may understate pumping impacts because it does not account for any new wells coming on-line), while the Memo's Petition Proposal assumes pumpage as though irrigators in all three sub-areas form and implement Voluntary Agreements that actually result in 10% pumpage reductions by 2040.

In sum, the Memo confirms that the petition provides considerably less protections for groundwater than the Proposed Rules and the "Full Pumpage" scenario appears to best demonstrate the effects that the petition would have the Silver Creek, Silvies and Blitzen-Voltage sub-areas.

#### **4. Process**

I participated in the 512 rulemaking as a member of the Rules Advisory Committee (RAC). The RAC met for 78 hours across 15 meetings (run by an outside facilitator) over a more than two year time span; between RAC meetings, a Discussion Group, run by two outside facilitators paid for by the state, met for an additional 30.5 hours, for a total of 108.5 hours of meetings.<sup>3</sup> Many of us also spent time reviewing materials and preparing between RAC meetings. Frequently, certain members of the RAC raised concerns with the process, prompting OWRD and the facilitators to make changes.

While people can certainly have different views on whether they accept the USGS groundwater study or the like, the narrative that the process was not exhaustive or responsive enough does not hold water. 108.5 hours is a lot of process and a quick review of the materials available on OWRD's Harney (Division 512) Rulemaking webpage<sup>4</sup> clearly demonstrates the depth and breadth of information that was shared and discussed.

Some RAC members seem to advance the narrative that the process was inadequate because OWRD did not put what they wanted in the rules and because there was no consensus statement from the RAC. This misunderstands the role of a RAC (and indeed it seems that any meaningful

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<sup>3</sup> These numbers were calculated by adding up the meeting times shown on the publicly available agendas on the OWRD Harney (Division 512) Rulemaking webpage.

<sup>4</sup> <https://www.oregon.gov/owrd/programs/policylawandrules/OARS/Pages/Division-512-Rulemaking.aspx> (all information on this OWRD's Harney (Division 512) Rulemaking webpage and all of its sub-pages is incorporated as if fully set forth here).

consensus statement from the RAC was not possible here). The agency has a duty to propose rules that meet statutory requirements; it has no duty to put what every RAC member wants into the rules, which would have been impossible here due to the different interests of RAC members.

**5. The petition misquotes the very water code it claims to be implementing.**

The petition cites ORS 536.220 to assert that:

“The agency is tasked with the responsibility to maintain "the present level of the economic and general welfare of the people of this state" while also fostering “future growth and development of this state for the increased economic and general welfare of the people. ””

(Petition at 9). That is not what the statute says. The partial quotes do not convey the actual language and meaning of the statute, which actually states:

“The maintenance of the present level of the economic and general welfare of the people of this state and the future growth and development of this state for the increased economic and general welfare of the people *thereof are in large part dependent upon a proper utilization and control of the water resources of this state, and such use and control is therefore a matter of greatest concern and highest priority.*”

ORS 536.220(a) (emphasis added). Contrary to the petition’s representation, this provision does not direct the agency to maintain economic levels, but rather supports the Department’s efforts to ensure proper utilization of the water resources. It is concerning that a petition purporting to implement the water code is misrepresenting what the statute says for the apparent purpose of persuading the Commission to elevate certain economic interests.

**Conclusion**

Thank you for considering these initial comments. We urge the Commission to deny the petition.

Sincerely,

/s/ Lisa A. Brown

Lisa A. Brown  
Staff Attorney  
lisa@waterwatch.org

Oregon Water Resources Department  
725 Summer St. NE, Suite A  
Salem, OR 97301-1271

1 October 2025

I am Mario Petrili. A newbie and a townie. Been here 5 3/4 years. Love it. Also a retired engineer. Did statistical analysis of Harney County meteorology and flow from 1924 to 2023. 2020 US Census. 2022 USDA Census. Meteorology and flow in the Bear and Silvies valleys. No one has done one and because RULE 512 starts there. Found 50% over consumption and 75% over retention of surface water above the 1924-26 Silvies River Water Decree. Silvies River is now tributary to Emigrant Creek. Refuge wants its 20% back.

I'm a surface water guy. Somehow I got sucked down into the ground water numbers. They don't add up. Can't have a factor be the sum. Department over estimates GW discharge and under estimates historic recharge. But, by how much?

Think I now understand how Garcia et al came up with most of those GW larger than actual discharge rates for all three areas under their analysis. It's the WRIS numbers. Oregon uses unique catalog methodologies over time than its neighbor states which makes this problem "weird". A 2022 USDA survey of ground water resource record management by states ranks Oregon 49th due to the unknown numbers of defunct and abandoned wells. I call the HARN\_log byzantine. And USGS uses these numbers.

The POD totals, POU acres and rates include some duplication. A GW right may have two or more wells attached and a well may have two or more GW rights attached. A few as many as seven according to the GWIS log. Among the three sub-areas, the northern region has the highest number of co-mingling rights and wells. Hence this region has the largest estimated negative allocations and withdrawals.

Parsing PODs and POUs, or more correctly assigning actual wells to actual acres, will take time, large computers and subjective imagination. There are assignment errors. There are many permit and certificate transfers logged into HARN well event log (not a catalog, not a registry) whose transfer paperwork can be a bit "messy" and differ from the primary WRIS Log.

WRIS tends to accumulate GW rights to a well. There are five known farms which use a relative small number of wells inter-connected to irrigate a large number of acres for operational efficiency. These farms are in the three RULE 512 identified critical groundwater problem areas; Rattlesnake, Crane and Weaver Springs. Amounts of over-consumption is amplified by the over assignment of PODs. Gee, I don't know. Let's assign this GW right to the nearest well. Yes, there are well owners with POUs owned by another within the WRIS Log when compared to the HARN\_log.

There are numbers of PODs and POUs not in use which are included in the acre/feet and cubical feet per second totals.

Division locus is on the GW allocation of "paper" acres. It is a convenient measure of maximum allocated usage. And those rights are now over-allocated for the volumes of GW available. A more clear answer as to by how much may be derived by reducing the acknowledged POU numbers using actual drill records (and notes) and permit paperwork

(and notations). There are POD multiplicities and POU location errors. Such as transfers with assigned latitudes and longitudes of the ODWD North Mall Office Building in Salem.

I'm double checking and grading their homework. So far, it's a "B".

The HARN-\_og spreadsheet is humongous, With 3,072 well events within the GHVGAC thus far identified (rows) and now 48 columns of well and GW data (columns), database is query-able to identify specific characteristics within more and smaller hydrostatic (water below ground) provinces.

More work is needed. Now half way through the accumulation process, a synopsis of what well driller reports say about ground water levels, temperatures, chemistries and volumes for some areas without and within the GHVGAC: Virginia Valley, Happy Valley, Princeton, the Upper Blitzen (Frenchglen), Northeast – Crane and Silver Creek. An independent very preliminary analysis for your perusal of RULE 512 and the local "Plan B" petition ground water availability and allocation estimates.

Collaboration, please!

Thank you for your time and consideration on this matter.

Mario Petrilli  
Burns, OR  
cbatavelli@mail.com  
425.205.3300

RULE 512 omits two ground water [GW] areas of concern, Virginia and Happy valleys. Understandable. Division uses the 1966 USGS designated Malheur Lake Administrative District boundary as the Greater Harney Valley Groundwater Area of Concern [GHVGAC]. Not the 2018-2023 USGS Harney Basin Study Area which includes the USGS designated Malheur Lake Hydrologic Unit [HUC 8-171200001]. It contains two separate hydrologic sub-units, HUC 10-171200010302 which contains the Virginia Valley surface drainage area and HUC 10-17120001060303-5 which contains the Riddle Creek surface drainage areas.

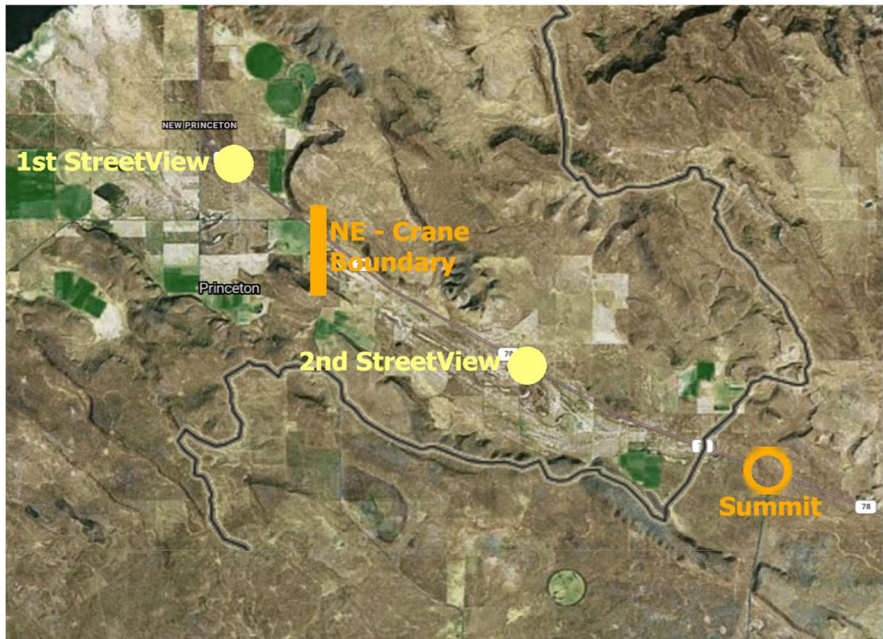
### **VIRGINIA VALLEY**

GHGVAC and the Serious Water Management Problem Area (SWMPA) boundaries exclude most of Virginia Valley with its 19 irrigation right holders, three are not in use, and their significant GW consumption. The Valley is over the southeastern edge of the largest known aquifer in the Basin. What little precipitation it receives percolates and enters this aquifer. Well characteristics, when drilled, are similar to the Princeton sub-area in depth and output. Water chemistry records do not exist. But valley floor drill records have the same lacustrine lake sediments as those nearer to the Lake. Virginia Valley surface hydrologic area and underground hydrostatic province are the same. Both are within the Northeast – Crane sub-Area.

The reason(s) why most of Virginia Valley is exempt from RULE 512 is understandable.

B





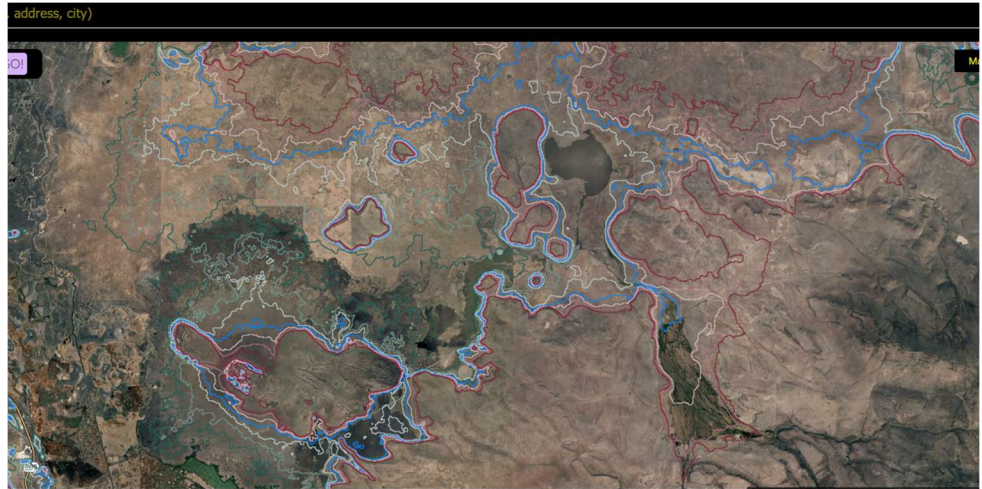
Technically, there is no reason not to include Virginia Valley into the SWMPA.

## **HAPPY VALLEY**

The aptly named Happy Valley, from the Riddle Creek watershed to Dry Lake / Barton Reservoir, is enclosed in a rare separate hydrologic sub-basin within the Harney Basin. Surface flows do not contact the lakes and terminate at the reservoir. DOGAMI OPEN FILE REPORT 0-80-7 identifies a small conical depression, a dimple, under it. Drainage area is over the northern edge of the second largest known aquifer. GHVGAC boundary includes a small creek section between the Valley and reservoir but excludes both. Happy Valley surface irrigates. While there may be two supplemental GW rights granted, near all wells are livestock and domestic.

White line marks 4200 feet elevation, blue line is 10 feet lower and red is 10 feet higher.

Riddle Creek terminus at Barton is 88 feet higher than Malheur Lake and is near 12 miles to the southeast. No evidence of alkali and salts. There are a large number of fractures and crevices between the valley and the reservoir / lake. There is physical

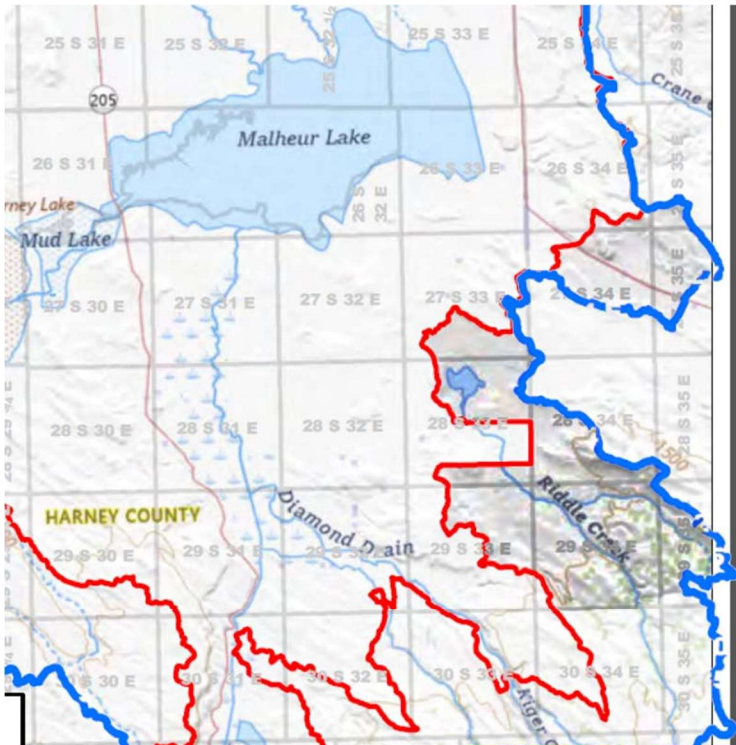


evidence the lower valley and reservoir percolate sub-surface flows toward the Diamond Crater Complex then toward the Lake as sub-surface via fractures and faults under Voltage.

Distance between where Riddle Creek enters Happy Valley and the Dry Lake center point is approx. 6.25 straight miles. Elevation between points are 4,246 and 4,188 feet. Elevation of the actual Barton Lake, just east of the Diamond Craters Outstanding Natural Area boundary, which seems more perennial than ephemeral Dry Lake – Barton Reservoir, is at 4,153 feet.

HUCs are similar in character to the other major Steens Mountain drainages which are included in the GHVAC. Happy Valley is within the Lower Blitzen - Voltage sub-Area.

Technically, there is little reason not to include Happy Valley (HUC-1212000010601-2, 4-6) into the SWMPA.

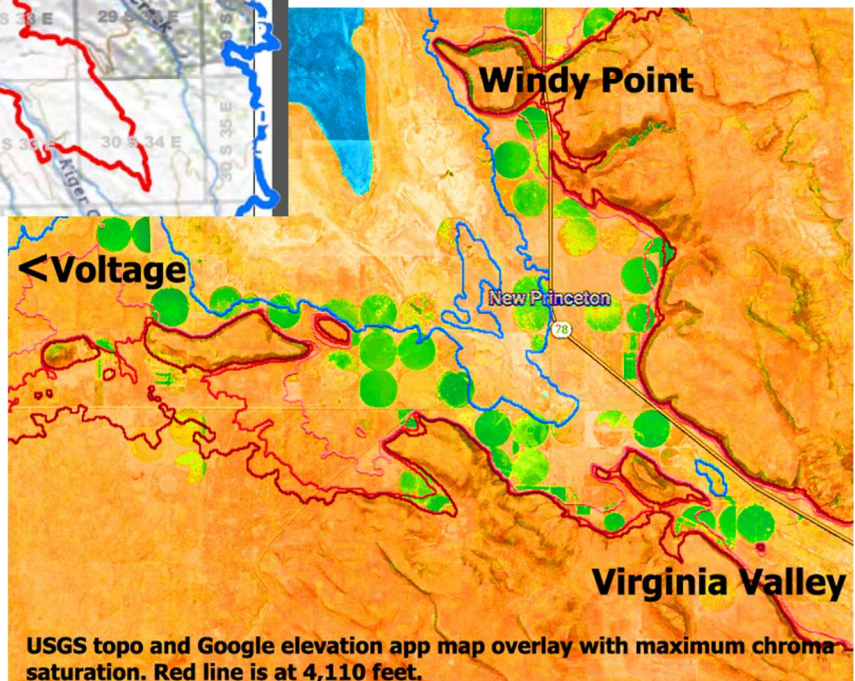


Map is a fast overlay of the USGS Harney Basin boundary in blue over the GHVAC map boundary in red. Virginia Valley watershed and the lower Riddle Creek drainage area are in darker contrast. Source maps are from the Department.

**NEW PRINCETON**

Between the two valleys and the Lake is New Princeton or the Windy Point sub-Area early in the RAC process. It is now in the SWMPA NE-

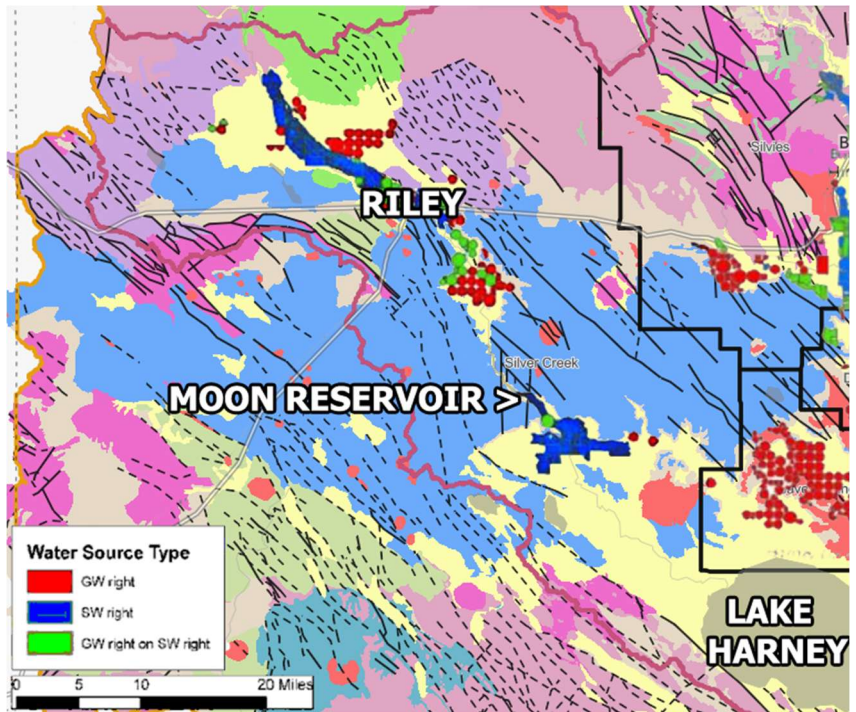
Crane sub-Area.



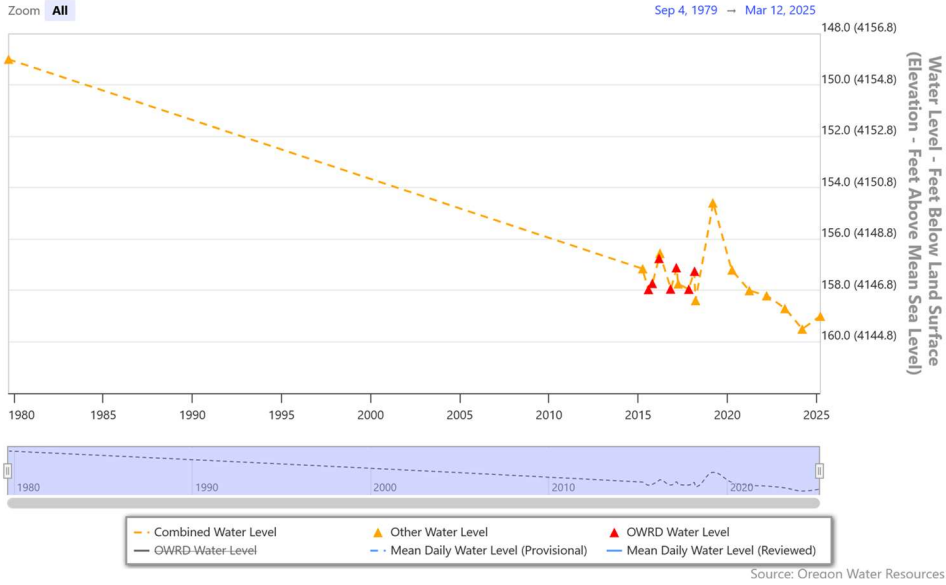
USGS topo and Google elevation app map overlay with maximum chroma saturation. Red line is at 4,110 feet.



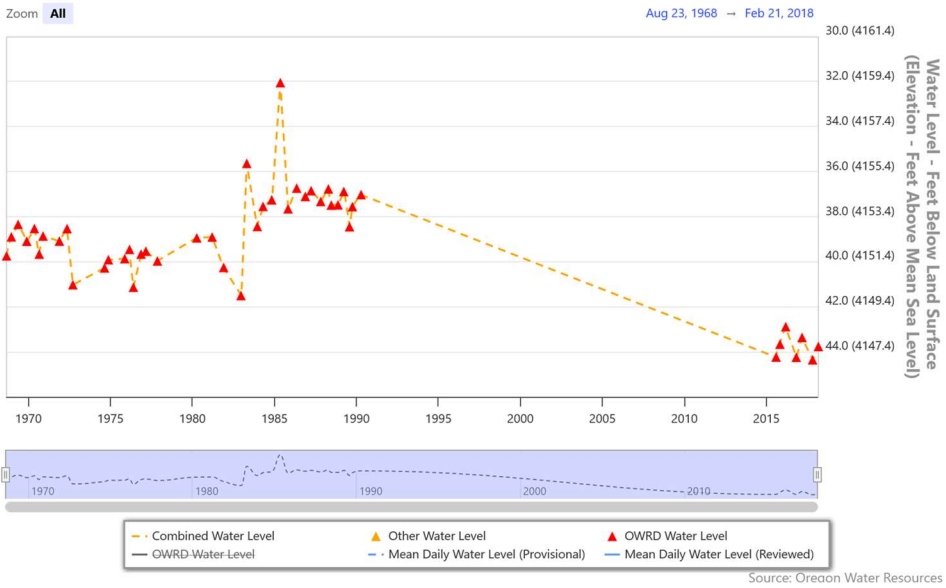




### Groundwater Levels for HARN 243



### Groundwater Levels for HARN 755



October 2, 2025

Oregon Water Resource Department

725 Summer Street, Suite A

Salem, OR 97301

**RE: Questions about Memorandum – Technical Evaluation the Petition to Amend Division 512**

Dear Commissioners

Below are a few questions I have about the evaluation of the petition the Department did. I do not know if the department is going to allow us to ask questions or discuss the information. So, I wanted to reach out to the commissioners and see if you could ask the department some clarifying questions. I want a good understanding of all the data. I believe that having a clear understanding of the information will help us with our voluntary agreement. Thank you for the time you have taken to hear from the people of Harney Basin.

Questions about Impacts to Dry Domestic wells

1. Can each subareas get a list of the projected domestic wells that could go dry?

Questions about the springs and streams

1. Where did the numbers for the 1980 historical model come from?
2. How did it model less discharge in the Silver Creek subarea in 1980 than the discharge reported in the 2017 USGS study? 2017 USGs measured discharge at 23,500ac/ft. 1980 model projected 17,800 ac/ft.
3. What information/ data was used to get the 1980 number? What assumptions were made?
4. USGS reported in 2017 showed a 11% decline in springs from 1931 measurements? The model shows a 33% decline in 1980 from the 1931 measurements. Why and how is this possible?

Questions about Impacts to Natural ET

1. How do you differentiate surface water from Groundwater ET in a flood plain? The Lowland ET map show only to be in the flooded areas, which are mostly from creek runoff in the Silver Creek Subarea.

Thank you for your time and consideration,

Lorissa Singhose

October 1, 2025

Oregon Water Resource Department

725 Summer Street, Suite A

Salem, OR 97301

**RE: Comments on the Petition Division 512 rules and the proposed Division 512 rules.**

My name is Lorissa Singhose I am a Farmer and Rancher in Riley, OR. I am in the Silver Creek Subarea of the Harney Basin. We are third generation farmers, with the fourth generation working the farm with us.

I support the petition and feel the petition better represents the steps needed to manage the water reservoirs of the Harney basin.

The petition recognizes the different water conditions in different parts of the basin and manages them according to their specific conditions. While the departments proposal takes a few focused critical areas to use against the rest of the basin to justify regulating the whole basin. The petition recognizes the problem areas and addressed them according to conditions.

The petition encourages voluntary agreements in areas that are reasonably stable and do not meet the critical designation. The departments proposal is a stretch of their regulatory authority and legal definition to designate an area critical without the defined criteria being met.

The petition protects Water rights as required by law better than the departments proposed rules. The petition better protects the public health welfare and safety. It minimized economic impacts to the community. Which minimizes loses to jobs and public services.

Western Recharge Basin Recharge Estimate 47,000 ac/ft a year

Silver Creek subarea Western recharge basin	Authorized GW use in 2023	Authorized Use with Petition *	Authorized Use with OWRD proposal **		
Riley Upper Silver Creek	31,488 ac/ft	31,488 ac/ft	31,488 ac/ft		
Harney lake- OO Lower Silver Creek	3,731 ac/ft	3,731 ac/ft	3,731 ac/ft		
Weaver Springs	28,134 ac/ft	*9,200 ac/ft	**4,800 ac/ft		
Total		44,419 ac/ft	40,019 ac/ft		
Amount of pumping < recharge		+2,581 ac/ft	+6,981 ac/ft		

The chart above is to show that the Western recharge region cannot be overdrawn. The western region is not overdrawn, but the department has insisted that Silver Creek subarea meets the Critical Designation because it is about to be overdrawn. The chart above is from OWRD numbers that the department provided to the RAC. The numbers clearly show that if the full allotment of water rights was used in the Silver Creek subarea (which included Riley and the Harney Lake area) with the regulated use in Weaver Springs the water could never be overdrawn. There fore the Silver Creek Subarea in not about to be overdrawn and does not meet the criteria of a Critical Groundwater designation.

I propose that the Silver Creek Subarea not be designated as a Critical Groundwater Area.

The actual use in Silver Creek subarea is below the authorized use. This is to shows that we could not be overdrawn even if all authorized use was fulling implemented. There are no new permit or water rights that can be developed in the Silver Creek Subarea.

The farmers in Riley, Upper silver creek, are working on a voluntary agreement to manage the water resource. We feel this is a better approach than a legal battle in a contested case. The Departments proposal is leading us to a contested case legal battle, because it is not supported by a technical or legal basis. The proposed rules by the department would have such devastating consequences that would destroy the family farms in the area. To reduce a reasonably stable area by 28% is unprecedented and unfounded by the technical data. In our estimates the proposed rule would actually reduce the Upper Silver Creek area by 40%. To reduce by 40% would bankrupt the entire family farming community. A 40% reduction in Riley is about 4,000 acres, the economic impact report shows a loss of \$1,280 an acre/year, which is a loss just to the Riley community of \$5,120,000 a year. How does a family farm make its mortgage to the bank with this much financial lose? This is not a justified outcome for an area that has a groundwater level trend with a median overall decline of -2.5 to -3.5 ft and a median rate of decline at -.4 ft/yr. We are reasonably stable, yet we are being treated as thou we are declining excessively. The department has a responsibility to the people; to protect our legal water rights they gave us, and ensure our small family businesses are not substantially financially impacted.

The reason the department proposal is actually reducing the Silver Creek by 40 % is because the starting/ baseline usage estimates are low. The Beamer report, "Historical Irrigation water uses and the Groundwater pumpage estimates in the Harney Basin, Oregon, 1991-2018, was used for the estimated usage. In the report it said "Regional groundwater pumpage rates for fields irrigated with the primary groundwater rights average 2.16 acre-feet" show that a **basin average** was used to estimate use for all subareas of the basin. This average included areas that pumped from 0 to over 2 ac/ft. The average included the bad areas in with the good areas, which then under estimated the good areas. If you look at the ET maps included with that report, (see attached map) you will see that the rates are represented by color. Red being 0 and blue being the highest usage at +2. If you look across the basin you will notice some areas that have light blue mixed with green and yellow, these areas make sense that the average would be 2.16 ac/ft. If you look at the Riley, Upper Silver Creek Subarea, you will notice that all the pivots are a dark blue with a few light blues. The data used was not specific to our area, and is not an accurate representation on the actual use. I asked the department if they could give me the number of acres they figures was in the Riley area, but they said they did not separate out the acres for subareas. I believe the acres are needed to double check their work to make sure each areas usage is accurately represented, before you base regulations on it.

I propose that the department work with the community to reexamine and figure the actually usage for each subarea. The starting number is very crucial to base regulations and Voluntary

agreements from. Example of how the starting numbers can change the amount of regulation that is actually being applied to subareas.

10,000 irrigated acres estimated use at 2.16 ac/ft = 21,600 ac/ft reduce 30% = 15,120 ac/ft

10,000 irrigated acres estimated use at 2.5 ac/ft = 25,000 ac/ft reduce 30% = 17,500 ac/ft

10,000 irrigated acres estimated use at 3 ac/ft = 30,000 ac/ft reduce 30% = 21,000 ac/ft

In this example, almost 6,000 ac/ft difference is made by under estimating use.

If the usage estimate is low then, the farmer is being reduced what he was actually using before the regulated reductions are being applied. This is why the Riley area is being proposed a 28% reduction, but is actually being regulated to a 40% reduction.

It is also worth noting that there are different water use estimates being used. In the Western region for example, USGS study estimated use at 42,500 ac/ft. Beamer report estimated use at 41,000 ac/ft. The Department modeled 40,200 ac/ft.

I propose that a more comprehensive and complete study of site-specific data be used for the starting/ baseline usage numbers.

In RAC #14 April of 2025 on pg 36 of the OWRD provided packet, under the heading "What we learned: impacts" it was stated, "Silver Creek, Silvies, and Dog Mountain subareas supply groundwater to the Weaver Springs subarea." The department has shown us they believe that not all the recharge to Weaver Springs is coming from the Western Region, but also from the Northern region. We have not seen updated recharge numbers to support this statement. This would give more recharge to the Western Region. I would like to see updated numbers, to better inform our voluntary agreements.

In the Departments proposed rules they have set a PTW for the northern region that is 77% of recharge. In the Southern region the PTW is 18% of recharge. In the Western Region the PTW is 43% of recharge. Why are the PTW not set on a consistent amount. If 77% of recharge is acceptable to the department, then that should be applied consistently to the entire basin. Especially since most of the PTW below 77% are in reasonably stable areas. The precedent/ standard that the department has established for setting PTW in the rest of the state has been 100% of recharge.

I propose that we can have a discussion with the department on why we are being held to unprecedented higher standards/ regulations than the rest of the state. Why are parts of the basin being held to a higher standard/ regulation than other parts of the basin. Why?

The Departments proposed rules will have a devastating impact to the Harney Basin. First you will see the devastating economic impact to the entire community, then you could see the mental health crisis escalate in our community.

To be noted that the Economic impact report is missing irrigated acres in the Silver Creek Subarea by +3,000 acres. Which if added would increase the income amount by +3,840,000. It would also increase the lose of income with regulations. The numbers that were used were provided by the Department. They were wrong because the starting numbers from the department are underestimated, as suggested above. I believe that if the estimates for the Silver Creek area are off, then it is reasonable to think that the other subarea estimates are off.

The petition supports and promotes the use of Voluntary agreements to move the basin in a sustainable path toward water management. The Upper Silver Creek subarea, Riley, is working on a voluntary agreement as a way to responsible manage the groundwater. We want to work with the department and commission to make this happen. We believe this is a better way forward than a costly contested case. The department's proposed rules do not lead us in that direction, but may leave us no choice but to defend our livelihood and our rights in court. We much prefer to work together. The process of creating a voluntary agreement has and will take hundred of hours of our unpaid time, and is going to cost the Riley community thousands of dollars in professional fees to complete. Which shows that the Riley community does not take this lightly and are committed to bring forth the best technical and legal water management approach. The petition best supports this approach. The community will succeed in sustainable water management. Our Children's future depends on it! We are a multigenerational community and are here for today, tomorrow and many generations to come.

Thank you for considering my comments

Lorissa Singhose