

September 8, 2025

To the Water Resources Commission;

Thank you for the opportunity to speak with you regarding the forthcoming voluntary agreements for the Upper Silver Creek and Harney Lake/Warm Springs Valley areas. As requested by the Commission, we will not remark upon the specific policy proposals contained in the Division 512 rules, the place-based integrated water resources plan for our community, or the Department's guidance for voluntary agreements. We understand that our comments on those topics are not invited and will not be accepted or considered by the Commission at this time. Instead, we will take this opportunity to share information with you about our efforts to develop voluntary agreements to sustainably manage groundwater in the Silver Creek drainage area of the Harney Basin.

Most importantly we want to inform you that we anticipate bringing voluntary agreements before the Commission in December for a decision consistent with ORS 537.745 and intend to coordinate with the Department prior to that. Since this process has never been done before, we wanted to make you aware of our intentions well in advance of asking you to make a decision. We look forward to working with the Department and Commission to ensure that you have sufficient information upon which to base your decision.

First, we would like to provide a little bit of information about who we are since we have not previously had the opportunity to speak to the Commission directly. We are here as representatives of groundwater users in our area, but it is important to note that we are working collectively on a voluntary agreement with other groundwater users and no single person can effectively speak on behalf of all of us. We take this responsibility seriously and need to be mindful of not speaking or making commitments for other groundwater users in our area.

My name is Lorissa Singhose. I would like to introduce myself and my family. I am a farmer and rancher in the Riley, OR. My husband, Phillip and I farm and ranch along with our four children. We have irrigation wells in the Silver Creek area as well as a domestic well that serves our home. We are a family farming operation, and all four of my children are involved in the day-to-day operations. Three of my children are young adults and are on the farm full time. My youngest is a senior in High School and can't wait to farm full time. I spent many years actively involved with 4-H when my children were younger. I have spent many hours supporting local sporting events and teams. I have dedicated the last 10 years to learning about the groundwater of the Harney Basin and understanding the water policies of the State. We are deeply invested in our farm and in our community and wish to continue to build a life here.

My name is Angie Ketscher and I am a rancher and farmer down below Moon Reservoir. Together with my husband Ross, we have nearly 1000 head of cattle. Our home gets water from a domestic well and we have stock wells to water our cows. We have a mix of groundwater and surface water irrigation rights. We grow all of the feed for our operation. I am a mother of four, with one of my sons and his wife and two kids following in our footsteps. I am a grandmother of 7 and am so glad to share this life with them and hope they can continue to live and work in remote hope that my grandkids can continue this life if they wish. I love our community and have been very active over the years in 4-H, FFA, Cattlewomen's, and the County fair. I was on the FSA board for 12 years and currently serve on the board for the Watershed Council;

We commend the Department and Commission for taking a more proactive approach through the recent groundwater allocation rulemaking process to prevent overappropriation, overdraw, and unreasonable and excessive declines of groundwater resources. There was significant interest and concern from our community about the State's responsibility to ensure that groundwater is appropriated within the capacity of the resource based on best available science. We agree that the Department and Commission should be grappling with questions about responsible levels of appropriation and how to achieve balance for multiple competing uses prior to issuing new water rights.

We also want to express gratitude and appreciation to the Department and the US Geological Survey for their work on the groundwater study and groundwater budget reports as well as the development of a numerical model. We both served on the Groundwater Study Advisory Committee and partnered with the Department and USGS on data collection efforts in the basin. During that process we feel that the scientists were very responsive to our feedback and contributions. We have not yet had the opportunity to partner with the Department to examine and use the available information to investigate voluntary agreements in the Silver Creek drainage area and we look forward to doing so. We look forward to working with technical experts, including those at the Water Resources Department to inform our efforts.

We appreciate the Department's investment of time and resources to the place-based water planning effort. We both committed hundreds of hours to the place-based water planning effort and the Division 512 rulemaking advisory committee, but we will refrain from speaking about those processes or topics. We are now actively working on voluntary agreements. Most groundwater users in our area were not consulted in the drafting of the voluntary agreement guidance, but we will refrain from speaking about the contents of the guidance as requested.

Groundwater in our portion of the basin is primarily recharged through the Silver Creek river as well as other tributaries on the west side of the basin. Our groundwater is distinct from the other recharge areas and also has many characteristics that make it different from the Silvies, Northeast-Crane, Blitzen-Voltage, and Weaver Springs areas. The groundwater study included Weaver Springs in the “western region” of the groundwater budget for study purposes, but available data shows that Weaver Springs is geologically and hydrologically distinct from other parts of the basin. We still have many questions about groundwater sources and flow paths in our part of the basin and we look forward to partnering with the Department and other scientific experts to answer these outstanding questions.

For nearly a decade the Department has been expressing interest in voluntary joint action with groundwater users in our basin, including in areas where groundwater levels are reasonably stable, like the Silver Creek drainage area. ORS 537.525 states a preference for voluntary joint action between the Commission and groundwater users. It is with knowledge of that statutory preference that we have embarked on this important effort. As a reminder for all of us, the Department and Commission have the responsibility to advance policies and actions achieve the following substantive goals contained in ORS 537.525:

1. Provision be made for the final determination of relative rights to appropriate ground water everywhere within this state and of other matters with regard thereto through a system of registration, permits and adjudication.
2. Rights to appropriate ground water and priority thereof be acknowledged and protected, except when, under certain conditions, the public welfare, safety and health require otherwise.
3. Beneficial use without waste, within the capacity of available sources, be the basis, measure and extent of the right to appropriate ground water.
4. All claims to rights to appropriate ground water be made a matter of public record.
5. Adequate and safe supplies of ground water for human consumption be assured, while conserving maximum supplies of ground water for agricultural, commercial, industrial, thermal, recreational and other beneficial uses.
6. The location, extent, capacity, quality and other characteristics of particular sources of ground water be determined.
7. Reasonably stable ground water levels be determined and maintained.
8. Depletion of ground water supplies below economic levels, impairment of natural quality of ground water by pollution and wasteful practices in connection with ground water be prevented or controlled within practicable limits.
9. Whenever wasteful use of ground water, impairment of or interference with existing rights to appropriate surface water, declining ground water levels, alteration of

ground water temperatures that may adversely affect priorities or impair the long-term stability of the thermal properties of the ground water, interference among wells, thermal interference among wells, overdrawing of ground water supplies or pollution of ground water exists or impends, controlled use of the ground water concerned be authorized and imposed under voluntary joint action by the Water Resources Commission and the ground water users concerned whenever possible, but by the commission under the police power of the state except as specified in ORS 537.796 (Rules regarding low temperature geothermal appropriations), when such voluntary joint action is not taken or is ineffective.

10. Location, construction, depth, capacity, yield and other characteristics of and matters in connection with wells be controlled in accordance with the purposes set forth in this section.
11. All activities in the state that affect the quality or quantity of ground water shall be consistent with the goal set forth in ORS 468B.155 (State goal to prevent ground water contamination).

Through our individual efforts and the place-based planning effort, we have individually and collectively contributed to or advocated for the following actions and have supported the Department and Community's efforts that have are helping to achieve these substantive goals:

- Increased individual and community contributions of groundwater level measurements and other data and information for the groundwater study effort;
- Advocating for increased monitoring and enforcement of unauthorized groundwater use, including volunteer time to take groundwater level measurements in the wells of neighbors and community members;
- Advocating for enforcement of permit conditions in our portion of the basin (we do not feel it is appropriate for us to comment on this for groundwater users in other portions of the basin);
- Advocating for enforcement of forfeiture laws where groundwater is not being put to beneficial use in accordance with existing laws and policies;
- Implementing conservation measures on our own operations and encouraging neighbors to upgrade irrigation infrastructure as resources allow;
- Organizing conversations with neighbors and other groundwater user to try to work towards a more coordinated approach (ranchers and farmers are used to working very independently, so this is new for us);
- Supporting efforts to explore the development of voluntary agreements and groundwater markets, including two studies that provide a significant body of knowledge;

- Supporting actions that can improve our understanding of springs in our part of the basin that are ecologically, socially, and economically important to the Refuge, our basin, and the state;
- Supporting data collection efforts to improve water use estimates and groundwater level trends in our area;
- Advocating for and supporting the creation of the groundwater conservation reserve enhancement program to voluntarily cancel groundwater rights;
- Advocating for the creation of a domestic well remediation fund to help offset the costs of impacted domestic wells;
- Advocating for increased funding to the Water Resources Department, including funding needed to complete the groundwater study;
- Significant self-study on the policies of the state and the available science and technical information.

What you will see in December are two voluntary agreements, one for the Upper Silver Creek area around Riley and one for the Harney Lake/Warm Springs Valley area around Harney Lake. We will detail how these voluntary agreements are consistent with state law and policy and how they will contribute to a truly integrated and coordinated approach that achieves the substantive goals of the Commission and Department.

The majority of groundwater users in the Upper Silver Creek groundwater area have met three times, with the first meeting occurring in May of this year. Groundwater users in the Warm Springs/Harney Lake area met for the first time in August and plan to continue to meet. There is shared interest, energy, and enthusiasm to work together to demonstrate to you that we are careful and caring stewards of our precious water resources. We will work to coordinate a meeting with the Department and interested Commissioners over the next few months.

We are committed for the long-haul to responsible stewardship of our groundwater resources – our wellbeing and the wellbeing of our community depend on it. We want our children and our children’s children to continue to live and work with the land in the Harney Basin. This is a life we cherish and wish to share with future generations.

We sincerely look forward to partnering with the Commission and Department to maintain reasonably stable groundwater levels in our area, balance different beneficial uses of groundwater, and ensure perpetual use of the Silver Creek groundwater reservoir. We sincerely believe that voluntary joint action with the Commission will ensure consistency with state law and policy, the Integrated Water Resources Strategy, the place-based integrated water resources plan, and the Department’s new strategic plan. The forthcoming voluntary agreements will foster a cooperative approach with groundwater users and will

lead towards a truly integrated and coordinated approach for sustainable and adaptive groundwater management in the Silver Creek groundwater reservoir. We hope to become a model for other parts of the state and across the West.

Attached to these comments are the following documents:

- A “situation assessment” assessing the possibility of developing voluntary agreements for the Silver Creek drainage area;
- The results of the independent assessment of the opportunities and barriers for voluntary agreements, including a review by legal professionals about key policy questions.

Sincerely,

Lorissa Singhose

Angie Ketscher