

Chair Dembrow and Committee Members

I am Lyndon Kerns, State Board Member who represents Klamath-Lake County Farm Bureau. We urge the committee to support this bill.

This bill addresses several issue's that have been very contentious for ground water users.

First, it addresses the issue of "one drop of water interference". The departments stance is if one drop of water is affected by well operation, then wells must be shut off. This is impossible to prove, and this bill addresses this by putting in language of .1CFS or more.

Second, is the science that the department uses. They have been resistant to alternative scientific findings by well users. This bill sets up guidelines for registered geologist to be recognized by the state which then can be used by individual ground water users. This allows ground water users to provide evidence of lack of interference which the department must accept.

Lastly, we hope that this bill would help motivate OWRD to work with upper basin ground water users. We feel that instead of appropriating money to fight lawsuits over issues that this bill helps address, that the department would provide reasonable assistance to ground water users in acquiring satisfactory information in proving no interference. Without hard data showing interference; such as consistently lower stream flows on average compared to past flows and declining static water levels in wells. The department should not be regulating these wells off. These wells are vitally important for upper basin folks to continue to survive and as such there needs to be a high burden of proof of interference.

Thank you for the opportunity to present this testimony.

Sincerely,

Lyndon Kerns