

Senator Brenner, Representative Gramlich, and members of the ENR Committee:

I represent no agency or entity other than myself and write testimony **LD 1641**.

We may be one of the few states left in the country that still relies on the 1873 judge-made law call "Absolute Dominion".

Absolute Dominion cannot stand when the user(s) exhibit neglect, interference, and abuse.

There is a legal argument that there has been decades of neglect, interference, and abuse regarding water extraction here in the State of Maine, thus nullify any claim to that right.

I'd like to ask that the State finish it's legal obligation and define "reasonable use", define the bulk extraction export uses, and acknowledge regional impacts beyond the wellhead, and acknowledge that these are the legal right of political subdivisions to evaluate, impose regulations, and either approve or deny.

We should no longer be an Absolute Dominion state, that is very clear. The only question is really when the State gain the understanding of the current reality and future risks.

Title 38 section 404 is a very limited protection that cannot be relied on.

Sure we have tons of water, sure extraction exporters take just a "sip" (like the one who controls 96% of the water bottling market in this state), but based on large-scale water extraction occurring in Fryeburg Maine, there isn't capacity for new agricultural farms to be created there.

Think about that for a minute. When will a sip become more than a sip?

The 2005 and 2022 Water committees both punted these items for future folks to figure out, and this has been a continued disservice to all Mainers.

Thank you.

Dan