

Item L – Water Use Reporting Waiver Request Process Overview

Informational Item

Water Resources Commission Meeting
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WATER RESOURCES
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Purpose and Overview

- Describe water use requirement for governmental entities
- Detail process for seeking at accuracy waiver
- Review why a governmental entity might seek a waiver
- Describe the Commission's role in reviewing and approving the waiver in anticipation of waiver request from BRID

OWRD Water Use Reporting

Governmental
Entities

Critical
Groundwater
Area

Serious Water
Management
Problem Areas

Water Right
Conditions

Governmental Entities and Water Use Reporting

- **537.099** - ...”any governmental entity that holds a water right **shall submit an annual water use report** to the Water Resources Department.”
- **Who?**
 - State or Federal agency
 - Local government (ORS 294.004)
 - Irrigation districts formed under ORS 545
 - Water control districts formed under ORS 553



Gov. Entity Accuracy Requirement

OAR 690-085-0010(3). ...the reported monthly volumes of water shall be accurate within plus or minus 15 percent

Gov. Entities can:

- Provide required data,
- Request an extension, or
- **Request a waiver**

Reasons for seeking a waiver

- New water rights
- Governmental entities coming into compliance
- Water rights re-issued in name of governmental entity



WUR Accuracy Requirement Waiver

OAR 690-085-0010(6) The Commission may waive section (3) of this rule...To qualify for a waiver, the governmental entity shall show that:

(a) Complying with the rule(s) would cause an economic hardship on the governmental entity;



AND

(b) The information to be collected would not materially aid water management...





Economic Hardship



OAR 690-085-0008 (7) “Economic hardship” means a financial burden of an extraordinary nature.

unusually **large number** of diversions or locations

the **costs of measuring and reporting** for a diversion or location **greatly exceed the normal costs** associated with a similar volume of water, or

the costs of measuring and reporting **threaten the entity’s fiscal ability to continue operating.**

WUR Accuracy Requirement Waiver



OAR 690-085-
0010(6)(b)

The information to
be collected would
not materially aid
water management
because:

(A) The **regulation** for or of the use
is **unlikely** due to the **absence of
other water rights; or**

(B) Use of water is **unlikely to
materially affect water availability**
from the source since the quantity
of water allowed by the right in
relation to the quantity of water
available from the source is
deminimis; or

(C) Another similar situation exists.

What is the process?

Waiver
Request

Completeness
Review

Consideration
by the
Commission

Special
Order (if
approved)

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