

OREGON WATER RESOURCES DEPARTMENT

DIVISION 180

EXEMPT GROUNDWATER USE RECORDING REQUIREMENTS

690-180-0005

Purpose and Applicability

(1) These rules describe the requirements under which the Oregon Water Resources Department will administer and enforce the provisions of ORS 537.545 as amended by SB 788 (75th Oregon Legislative Assembly). Funds collected will be used to assist the state in evaluating groundwater supplies, conduct groundwater studies, carry out groundwater monitoring and process groundwater data.

(2) These rules apply to:

(a) An owner of land on which a well is drilled to allow groundwater use for a purpose that is exempt under ORS 537.545.

(b) A well that is drilled to allow groundwater use for a purpose that is exempt under ORS 537.545 [*on or after the effective date of these rules*] **and completed on or after July 23, 2009**. This includes construction of a new well and converting an existing well.

Stat. Auth.: ORS 536.027

Stats. Implemented: ORS 537.545

Hist.:

690-180-0010

Definitions

(1) “Converting” means changing the use of an existing well or hole not previously used to withdraw water such that the well or hole can be used to seek or withdraw water.

(2) “Department” means the Water Resources Department.

Text in bold and underlined (**example**) is proposed new text.

Italicized text in brackets [*example*] is existing rule text proposed to be removed.

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- (3) “Director” means the Director of the Water Resources Department.
- (4) “Recording fee” means the fee, in the amount established under ORS 537.545, as amended by SB 788 (75th Oregon Legislative Assembly), that shall accompany the filing of an exempt groundwater use with the Department.
- (5) “Landowner” means the owner of land at the time a well that is subject to these rules is completed.
- (6) “Well completion” means the end of construction date reported on the water supply well report.

Stat. Auth.: ORS 536.027
Stats. Implemented: ORS 537.545
Hist.:

690-180-0100

Recording Requirements

Landowners shall submit the following information and recording fee to the Department no later than 30 days after well completion:

- (1) A map showing the location of the completed well, that includes:
- (a) Tax lot map with map reference number or Department approved electronic mapping program.
 - (b) Location of the well(s) with distances indicated from an identified property or survey corner.
 - (c) The direction of north marked on the map.
 - (d) Identify each well by Well Identification Number.
 - (e) Location of well(s) in relation to driveways, access roads and nearest structures.
 - (f) Street address of well site if available.

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(2) A recording fee in the amount established under ORS 537.545, as amended by SB 788 (75th Oregon Legislative Assembly).

(3) Any other information that the Department deems appropriate for recording purposes.

Stat. Auth.: ORS 536.027

Stats. Implemented: ORS 537.545

Hist.:

690-180-0200

Compliance and Enforcement

(1) If the Department determines that a landowner has not met the requirements of these rules, the Department shall notify the landowner of the specific nature of the requirements that have not been met.

(2) Failure to meet the requirements of these rules may result in formal enforcement action(s). These action(s) include:

- (a) Establishing a specified time for bringing the landowner into compliance,
- (b) Assessment of a civil penalty following procedures outlined in OAR 690-260 rules. Violations under these rules are considered as Class III Minor violations, or
- (c) Any other action authorized by law.

Stat. Auth.: ORS 536.027; ORS 536.900

Stats. Implemented: ORS 537.545

Hist.:

[690-180-0300]

[Rule Effective Date]

[The effective date of these rules is July 1, 2009.]

[Stat. Auth.: ORS 536.027

Stats. Implemented: ORS 537.545

Hist.:]

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