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 (503) 390-7080 ♦ Fax (503) 390-7088

Water Resources Commission
 c/o Water Resources Department
 Attn: Juno Pandian
 725 Summer Street NE, Suite A
 Salem, OR 97201-1271

October 15, 2009

Sent by fax: (503) 986-0903
 and e-mail: rule-coordinator@wrdd.state.or.us

Dear Commission members:

THANK YOU. On behalf of the men and women working in the Ground Water Industry, we thank you for the opportunity to provide input on the proposed rules that the Water Resources Department (WRD) has circulated regarding OAR Chapter 690, Division 190 and for expanding the hearing process to also allow public comment in Pendleton and Bend and for extending the comment period deadline to encourage public participation and thoughtful input.

START CARD CONFIDENTIALITY. Our organization has been made aware, through several of our members, that the WRD has been sending letters to land owners addressing SB 788 \$300 fee requirements based on the WRD's receipt and the content of Start Cards submitted pursuant to ORS 537.762. These citizens have been receiving said letters at their addresses identified in the Start Cards when the Start Cards identify a planned well construction for possible exempt use. Using information in a Start Card for anything other than enforcement action is clearly contrary to the provisions in ORS 537.762 (4)¹. A Start Card is confidential and to be maintained as such for one year or until the receipt of a well log is filed with the Commission. The only exception to this confidentiality requirement is if the Commission uses the report for enforcement actions. The WRD is not solely using the Start Card information for enforcement actions during its required confidentiality period; it is being used to inform and/or warn the citizens of their potential liability for a \$300 fee related to SB 788 for exempt uses. Said fee has no relevance to a

¹ 537.762 Report of constructor before beginning work on well; fees.

(1) Each person required to possess a license under ORS 537.747 who has entered into a contract to construct, alter, abandon or convert a well or cause a well to be constructed, altered, abandoned or converted shall, before beginning work on the well, make a report to the Water Resources Commission containing:

- (a) The name and post-office address of the owner of the well.
- (b) The approximate location of the well.
- (c) The proposed depth and diameter of the well.
- (d) The proposed purpose or use of the ground water from the well.

(4) The report furnished under subsection (1) of this section shall be confidential and maintained as such for one year or until the well log required under ORS 537.765 is received by the commission, whichever is earlier. Nothing in this subsection prohibits the commission from using the report for enforcement actions during the period the report is considered confidential.

Start Card, and is only payable if a well is constructed and then, pursuant to SB 788, it is not due until 30 days after a well has been completed. In many cases, at the time the WRD is using the confidential Start Card information, the pertinent well has not been completed, in fact, the well construction may have never begun. We believe WRD may use information contained on the Well Log (ORS 537.765) to send notifications to property owners; however, we believe it has no authority to breach the confidential nature of the Start Card for any purpose other than actions of enforcement. Kindly direct the WRD to make the necessary administrative changes to comply with statutes.

MAP REQUIREMENTS. SB 788 requires standards for mapping be adopted. The draft rules propose what appears to be a paper map system, often requiring creation by a professional land surveyor. Under the provisions established in ORS 183 we find that other options are available to locate wells that would reduce the economic impact on the landowner and the rule of business. For example, producing a map based on accurate distances from property corners, which in many cases are not precisely known by owners or well and pump contractors, is not possible without a professional survey. The necessity of such a survey would be contrary to the provisions outlined in ORS 183.335(2)(b)(G). In addition showing locations on a map from driveways, access roads, or structures is of little value since all of these items can change over time. In discussions with some of the WRD staff over the past few months, it has become apparent that the WRD does not value the GPS (Global Positioning System) for accurately locating wells when such locating is done by others. Instead, the WRD's draft rules propose an archaic paper map system with unclear standards which is overly burdensome and inaccurate. However, it is our understanding the WRD staff uses the GPS to locate wells. If they can use it reliably, can't others be taught the same? Our military personnel are taught how to use it and their lives depend on it. GPS is used worldwide as the current technology for accurately locating the position of an object. With GPS coordinates, an object can also be readily re-located over time; whereas, with a paper type of map, property corners, boundaries, structures, roads and landscape change, making it difficult and expensive to re-locate a well over time with a map. Errors are inherent with any system, including paper maps. Paper map information can be just as incorrect as a GPS location can be. Proper standards, training and timely enforcement will dramatically improve the accuracy of any system. To our knowledge, the WRD has formed a bias against others using the GPS based on errors that they have seen on water well reports; however, we have not seen evidence of the WRD taking a pro-active approach toward the situation by establishing better GPS standards through rule and then informing, educating and enforcing such standards. Our industry is prepared to work with the WRD toward that end; however, we are not prepared to endorse out of date technologies. The GPS achieves the objectives and reduces the negative impact of cost by elimination of the need for additional surveys. GPS coordinates can be defined as a map by rule; kindly make it the preferred standard relative to these rules.

WELL IDENTIFICATION NUMBER. Please define what this term means as it is capitalized but not included the draft rule definitions. It could refer to Start Card number, well tag number, or well log identifier.

ALTERATIONS. The rules should include by reference, already defined terms for altering and deepening a well a clearly state that the rules do not apply to these situations.

REPLACEMENT/ADDITIONAL WELLS. A well constructed to replace, or to supplement a declining, existing exempt groundwater use that was established before SB 788, or after SB 788 and for which a related map and fee has already been furnished, is an established property right, and should not be subject to additional fees or mapping requirements contained in the proposed rules. Citizens should not be required to record or establish their exempt use right more than once. Please clarify in the rule.

WELL COMPLETION. Oregon Revised Statutes govern the waters of the state so that the use of water is regulated from unlawful appropriation. In the case of groundwater if a well is constructed and capped (e.g. temporarily abandoned), or used for a purpose other than an exempt use, then it should not be subject to these new rules until such time as the well is used for an exempt appropriation of groundwater, whether that involves a defined well conversion or just a change in type of use. Please clarify in rule.

LANDOWNER DEFINED. Many wells are constructed in the middle of a real estate transaction where the owner of the property may be changing. If a well is constructed but not put to use until a new owner acquires the property then the 'fee' should apply to the person actually making the appropriation of the water. Any rights and responsibilities related to the recording requirements of SB 788 should be transferrable to the current landowner of record. Please clarify in the rule.

ENCOURAGE SURFACE WATER TRANSFER. The ground water industry has worked with the various interest groups to facilitate transfers that would lessen the impacts upon users of surface water. In many cases this involves moving to a ground water source that would allow for increased surface flows. An example would be the efforts to move cattle off-stream to improve water quality and quantity. As the rules are currently structured, if a rancher wanted to move off of an "exempt" surface water source to water his cattle to an "exempt" ground water use he would have to pay \$300 for each well constructed plus include a map, likely created by expensive survey, for each well. This is not in keeping with incentives that have been promoted and provides yet another economic hurdle for the landowner.

TIME OF ACCEPTANCE. Proposed 690-190-0200(1) should require the WRD to initiate enforcement action within a fixed time (e.g. 60 days) of their receipt of a map or fee that does not comply with the law or of their failure to receive a map or fee required by the law.

RULE CLARITY. 690-190-0200(2)(c) needs to be deleted. The purpose of rules is to clearly identify what the requirements are and what the consequences are if you fail to comply. Suggesting that the public is subject to any action authorized by law is too broad and does not specify an action.

TAX. We strongly disagree with the manner and amount of the \$300 'fee'; it appears to be a tax designed to supplement the WRD's general fund with a disproportionate burden on those that use less than 1% of the waters of the state. Regardless, we remain committed to working with the WRD and the Commission toward making better rules.

Sincerely,

A handwritten signature in black ink, appearing to read 'KS.A', is positioned above the typed name.

Kriss Schneider
President

Ray Lewis
52089 Dorrance Mdw Rd
La Pine, OR 97739

Wednesday 09/30/2009

Exempt Use Program
Water Resources Department

To Whom it May Concern,

I am writing to the Water Board to express my concern regarding the Exempt Use Well fees.

I am a property owner and do not think it is justifiable to charge land owners a tax (fee) that is duplicated. When we hire professionals to drill a well, the permit upon submission to the Water Board has to show the location of the either new well or improvements done on an existing well. Requesting the homeowner to provide the same mapping information and charging them \$300 is a duplication of fees that puts a financial burden on land owners.

The fees are justified in two ways: identifying the supply and availability of groundwater; the support of studies for monitoring groundwater and the payroll expense for staffing your office. Therefore, these fees should be eliminated and no homeowner ought to pay for a government agency's administrative costs.

The proposed rules also state that either no or a nominal fee will be proposed. A fee of \$300 is not a nominal fee to individuals who are low-income and/or living on a fixed income such as seniors and people with disabilities. There should be no additional fees to the land owner other than the well permit, which was increased by the Water Resources Department.

The Water Resources Department should not accept or impose any fees for exempt well users. This fee does not quantifiably identify the total amount of water below the ground surface any more than oceanographers knowing the total amount of water in the ocean. This additional tax/fee does not reflect the will of the people living in rural communities.

Sincerely,



Ray Lewis
Phone: (541) 815-0938

Brandi Elmer

From: Sandra Visconty [gregnsam@verizon.net]

Sent: Saturday, October 03, 2009 4:28 PM

To: rule-coordinator

Subject: comments on OAR 690, Divisopm 190

To Whom It May Concern,

I appreciate the opportunity to comment on these proposed rules.

I am a landowner, and recently drilled an exempt domestic well. We just bought this property, and the old well that was here went bad and needed to be replaced. After completing the new well we were informed of the new law - we had no idea this was in the works. Consequently, we were not prepared for the additional \$300 fee.

I realize you are after comments on the mapping ideas. I believe you are already overly burdening the rural landowner with fees that, frankly, everyone in the state will benefit from:

"The fee will be used to evaluate groundwater supplies, conduct groundwater studies, carry out groundwater monitoring, and process groundwater data."

I feel that adding additional financial requirements for mapping protocols is inappropriate. A simple sketch map with directions and distances labeled would be more than sufficient to add accurate-enough geographic data to a state-wide surface and groundwater study:

On the fee itself:

- There are 3.79 million Oregon residents - 1.48 million Oregon households (2008 census)
- They all use Oregon water - direct from individual or community wells, and from municipal watersheds
- There are "over 250,000 wells in the State of Oregon" (your website)
- All of these water uses are either directly from groundwater or connected to groundwater through surface water
- All of these people (all of us) will benefit from new and continuing groundwater studies.
- Why burden the few rural landowners with this fee?
- Seems to me that a simple \$1.00 increase in household State taxes, charged to all of us not just a select few, would raise \$1.48 million dollars per year, and be a steady supply of funds, instead of this haphazard and periodic \$300 fee.

Please reconsider the fee itself.

At the very least, don't require us to provide mapping information that requires hiring someone to meet unnecessary standards.

Greg Visconty

Brandi Elmer

From: John Large [johnlarge27@hotmail.com]

Sent: Thursday, October 08, 2009 9:04 AM

To: rule-coordinator

Subject: Rules

I own a pump company here in Lane County and have never not been able to find a well on a piece of property. In case you don't know how, it's done with the address and ASKING THE OWNER. Your hiding a tax in your useless Ordinances to make it look like your doing some good. Taxing an exempt well to advance your agenda with non-exempt wells which of course your going to tax the hell out of just as soon as you get all the water meters in place. Why else would you need to expand your budget and your department.

John Large

Willamette Valley Pump Co.

Hotmail: Trusted email with powerful SPAM protection. [Sign up now.](#)

R.W. LaDeRoute

To: Water Resources Agency
From: R.W. LaDeRoute

Date: 9-29-09 Total # of pages: 2 (including this page)

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Gentlemen:

My family has been in Oregon since 1821. (Francis Xavier La DeRout - Great - Great Grandfather). Our family has worked hard for these past 188 years to produce food, service and products to help this country grow & protect the liberty and freedom our founding fathers spelled out in our countries declaration of independence & the constitution. My Great Great Grandfather was @ Champoeg and was one of the 16 French men to vote for Oregon territory to become part of the United States so I have a vested interest in our State and its future.

Having said all of that I want you to know that Liberty & Freedom does not intend that our Government intrude on our every day lives and that a Bureaucracy grows to the point where they feel they have the right to tax our waters!

Keep it up and there will be consequences
Too much Government - not by
the People! Leave us alone!

Bob LaDeRout

9-29-09 503-819-4161

Brandi Elmer

From: Cindy Smith
Sent: Wednesday, September 09, 2009 4:07 PM
To: Brandi Elmer
Subject: FW: Proposed new rules
Follow Up Flag: Follow up
Flag Status: Red

Cindy Smith
Executive Assistant to the Director

503-986-0876

From: Robert LaDeRoute [mailto:rladeroute@msn.com]
Sent: Wednesday, September 09, 2009 2:25 PM
To: Director
Subject: Proposed new rules

Please send me a copy of the new proposed rules. Thanks

Robert W LaDeRoute
PO Box 773
Hillsboro, OR 97123

Brandi Elmer

From: Roy Shepherd [ropeg@frontiernet.net]

Sent: Tuesday, October 13, 2009 2:02 PM

To: rule-coordinator

Subject: SENATE BILL 788

I AM USING THIS FORUM TO COMMENT ON TWO DIFFERANT SUBJECTS EVEN THOUGH THEY INTERTWINE FOR ME.
WE HAVE WATER RIGHTS ON THIS PROPERTY THAT STATES THAT WE MAY USE WATER FROM LEE'S CREEK FOR DOMESTIC USE AND TO WATER A GARDEN NO MORE THAN .75 ACRES.
WE HAVE BEEN USING THIS WATER FOR DOMESTIC USE AND WATERING A SMALL LAWN AREA. A GENTLEMAN FROM THE WATER RESOURCES DEPARTMENT CAME TO OUR HOUSE AND ASKED ME IF I WAS WATERING THE LAWN FROM THE CREEK AND I SAID "YES". HE SAID "YOU CAN'T DO THAT". I ASK HIM WHAT I WAS TO DO, LET MY LAWN DRY UP? HE SAID "YES". MY POINT BEING AS I TOLD HIM, THE AMOUNT OF WATER I USE FOR OUR SMALL LAWN IS FAR LESS THAN WE WOULD USE FOR A VEGETABLE GARDEN.
HE TOLD ME THAT THE LAW IS THE LAW AND WE HAVE TO ABIDE TO IT. ONE OF MY QUESTIONS IS, IS ALL COMMON SENCE ABANDONED WHEN THESE LAWS ARE MADE? IN A DROUGHT YEAR I WOULD THINK THE LEAST AMOUNT OF WATER A PERSON USES WOULD BE FIRST MOST IN THE EYES OF THE WATER RESOURCE DEPARTMENT SUCH AS THREE QUARTERS OF AN ACRE VEGETABLE GARDEN VERSUS A SMALL LAWN.
WHEN I WAS TOLD I CAN'T WATER MY LAWN FROM THE CREEK WATER WE DECIDED TO PUT IN A WELL.
I KNOW YOU KNOW ALL OF THE EXPENCE OF ADDED TAXES ON A HOME OWNER THAT HAS A WELL DRILLED, BUT I WILL LIST THEM AS I UNDERSTAND THEM. FIRST YOU HAVE A STARTUP TAX. I STILL DON'T KNOW WHAT THAT TAX MONEY IS USED FOR, THEN AFTER THE WELL IS COMPLETED, THE STATE IMPOSSES ANOTHER TAX THEY CALL REGISTRATION FEES. I STILL DON'T KNOW WHAT THAT TAX IS USED FOR. ALONG WITH THE DEMAND FOR THE ABOVE LIST OF TAXES WE HAVE TO SUPPLY A MAP SHOWING THE LOCATION OF OUR WELL ON OUR 10 ACRES OF GROUND. HOW HARD WOULD IT BE TO FIND A WELL ON 10 ACRES OF GROUND.
AGAIN HAS ALL COMMON SENCE BEEN ABANDONED. WHEN THESE LAWS ARE PASSED IS THERE ANY THOUGHT AS TO THE BURDEN THAT THE INCREASE IN TAXES WILL BE PLACED ON HOME OWNERS OR IS IT JUST A WAY TO TAX AND SPEND AND ENLARGE THE STATE GOVERNMENT AND ITS DEPARTMENTS.
THANKYOU FOR YOUR CONCIDERATION AND IF ANYONE CARES TO CORRESPOND WITH ME IN THE FURTURE
MY NUMBER IS 541-863-8697 ROY SHEPHERD

10/13/2009

Brandi Elmer

From: Lee Insko [leeinsko@eoni.com]
Sent: Sunday, May 17, 1970 7:30 PM
To: rule-coordinator
Subject: Senate Bill 788

Senate bill 788 is unfair to residents of the State of Oregon who can not acquire domestic water from a municipal resource. The Bill identifies the need for the new taxes (fees) for a process that benefits all residents of the state, not just those in rural areas. It would seem much more appropriate that all new water users, whether rural, suburban or urban be charged this fee as both suburban and urban new users will have an impact to Oregon's water resources. This is another example of a tax on the minority for the benefit of the majority.

Secondly, the new fees should be tracked in a separate department account that will enable critics, such as myself to identify whether the fees were actually used to provide the services which were advocated in the bill, or used as "back filling" dollars to pay salaries, etc. caused by the general budget cuts dictated by the State to allow the State to insitute new programs in this difficult financial time.

Thank you for your time and consideration of these comments.

Lee Insko, Vice President Dist 2
Oregon Cattlemen's Association
76984 Palmer Junction Road
Elgin, Oregon 9827

Brandi Elmer

From: Cindy Smith
Sent: Wednesday, September 09, 2009 9:28 AM
To: Brandi Elmer
Subject: FW:

Cindy Smith
Executive Assistant to the Director

503-986-0876

From: cty14497 [mailto:Grahampump@centurytel.net]
Sent: Tuesday, September 08, 2009 9:28 PM
To: Phillip Ward
Cc: CARRIER Michael * GOV OFC
Subject:

My name is David Graham and I'm a pump installer in Columbia County. I have been contacted by several of my customers about rumors of new fees and rules being considered by the Department on new domestic wells. I would like a copy of the proposed rules if possible so I can share with my customers. It would be nice if a public meeting could be held in Columbia or Clatsop County so more information could be put to the users before new fees are accessed. Thank You for your attention on this matter. David Graham

9/9/2009

Brandi Elmer

From: Jerry [briver@ortelco.net]

Sent: Thursday, September 10, 2009 9:08 PM

To: rule-coordinator

Subject: Div 190 Proposed New Rule

1. Request a copy of the Div 190 proposed new rules.
2. Request state-wide public meeting to explain the new rules.

Jerry Franke, Manager
Burnt River Irrigation District
19498 Hwy 245
Hereford, OR 97837

From: Kyle [mailto:kyle@source1livestock.com]
Sent: Thursday, September 10, 2009 5:14 PM
To: Director
Subject: Water Resources

We need to have the Water Resources Department explain to the public statewide (not just the Salem area) the purpose and requirements of the new rules. Answer questions such as; Do the rules apply to replacement wells? What if the well is not used? If you construct multiple wells, is a fee required for each well? Should the rules be re-written to apply only after putting the well to beneficial use?

1. Could you send me a copy of the proposed rules?
2. Hold public hearings statewide

9/11/2009

Kyle Marino
Source 1 Livestock Supply
541.231.9771
kyle@source1livestock.com

Brandi Elmer

From: Bob Quinn [bob@quinnswellandpump.com]

Sent: Tuesday, October 13, 2009 9:13 AM

To: rule-coordinator

Cc: nancy@ogwa.org

Subject: water resources SB788

Water Resources (Exempt Groundwater Use Recording Requirements)

Attn: Juno Pandian

I feel that the newly adopted rules from SB 788 is inappropriate way to fund State employees , especially in the hard economic times that non governmental people are going through. I am quite sure with the economy the way it is if I was to add an additional \$300.00 to my well drilling fees So my employees could continue to have there jobs , my customer would throw me in the trash.

If water resources is really interested where the well is located, at no charge to the public I am sure you could have the well driller GPS the well site before it is drilled. In many cases exact property corners are not known, this would cause the owner to have a survey. The wording in the rules suggests that replacement wells will pay a fee; they should not since the owner already has a right to water.

With times as hard as they are, the additional fee would put part of our customers over the edge financially which means my employees go with out work.

Quinns Water Well Drilling
6811 Williams Hwy.
Grants Pass, Oregon 97527
1-541-862-9355
Bob Quinn License # 675

Brandi Elmer

From: Cindy Smith
Sent: Monday, September 14, 2009 8:13 AM
To: Brandi Elmer
Subject: FW: Water Resources Department

Cindy Smith
Executive Assistant to the Director

503-986-0876

From: Alfred Jackson [mailto:alfredjackson47@yahoo.com]
Sent: Saturday, September 12, 2009 11:55 PM
To: Phillip Ward
Subject: Water Resources Department

This E-mail will be followed by a hard copy in writing, in an attempt to address the proposed new rules (Division 190) scheduled for one??? public hearing on September 22, 2009 only in Salem??? Unfortunately this hearing is being held during a time when my job takes me to another state.

Please send me a copy of these new rules explaining how new fees and mapping requirements will be dealt with. I certainly hope careful deliberation has been employed with regards to the prerequisites put forth, which will impact everyone Statewide.

Have you taken into consideration the following?

- A. How are replacement wells dealt with?
- B. What if a well is not used?
- C. How will the fee affect multiple wells?
- D. Are the rules written to apply only when the well is beneficially used?
- E. Is a registered surveyor necessary to create a map?
- F. What is the required scale and tolerance for accuracy?
- G. What transpires if a well does not produce water and is designated a dry well?

If these rules do not follow a "fair play" procedure do you not anticipate a proposition to be introduced so everyone statewide has their voice regarding this proposal?

Far too many rules and regulations are dictated to the public by individuals in a position of power with obviously no knowledge or consideration fully foreseen.

I personally have had a well drilled over three hundred fifty feet, costing over seven thousand dollars and is a completely dry well.. Will you refund the fee when this situation transpires?

9/14/2009

Must there be a metal monument in my yard for all eternity to remind me of this situation?

Unfortunately the creators of rules and regulations fail to discuss all the ramifications with the drilling company and all the pertinent people who work in this field and at times completely ignore reality.

Most likely this will not be the only correspondence you receive and hopefully you will call for additional interchange in a more democratic demeanor.

A copy of this letter is being sent to the legislators representing our area and perhaps to the news media.

Brandi Elmer

From: Cindy Smith
Sent: Wednesday, September 09, 2009 9:28 AM
To: Brandi Elmer
Subject: FW: Proposed Rules

Cindy Smith
Executive Assistant to the Director

503-986-0876

From: Jim Mack [mailto:wellguy.mack@verizon.net]
Sent: Wednesday, September 09, 2009 9:01 AM
To: Michael.carrie@state.or.us
Cc: Phillip Ward
Subject: Fw: Proposed Rules

----- Original Message -----

From: Jim Mack
To: wardpc@wrd.state.or.us
Cc: Michael.carrier@state.or.us
Sent: Wednesday, September 09, 2009 8:58 AM
Subject: Proposed Rules

Director Ward

I am requesting that you send me a copy of the proposed new rules for the increased new start card, and recording fees associated with drilling a new exempt use well. I am curious why there are not public hearings being held state wide on this controversial and what I believe to be excessive fee structure. I am in a remote area of the state and believe that public meetings should be made available throughout the state, not only in Salem. There are many questions that I believe are not answered, or are in a gray area. Does the fee apply to replacement wells? What if the well is not used, or if there are multiple wells? I believe that this whole scenario with this new fee structure was instigated very haphazardly and would appreciate a forum to express that to the department. Thank you for time.

Jim Mack Sr
Bandon Well & Pump Co.
47530 Hwy 101
Bandon, OR. 97411
(541)347-7867
wellguy.mack@verizon.net

9/9/2009

Brandi Elmer

From: Charlie and Sharon Waterman [watermanranch@webtv.net]
Sent: Friday, September 11, 2009 11:26 AM
To: rule-coordinator
Subject: SB788 - Proposed rules

Could you please send me a copy of the proposed rules and fees that have resulted from the passage of SB788.

I also have some questions concerning the fees. Since we already have a water system which right now is an open spring and we want to put in a well because of water quality issues, then do we still have to pay the fee? If so why as it is just replacement water for domestic purposes.

Also, if we end up with a dry hole which has already happened on one occasion, are we required to pay a fee for the dry hole whether or not we drill again and are successful?

Will there be a hearing in southern Oregon concerning these new proposed rules?

Thank you for your assistance.

Please send the proposed rules to:

Sharon Waterman
87518 Davis Cr  ek Lane
Bandon, Oregon 97411

Brandi Elmer

From: Sharon Beck [becow@alicer.com]

Sent: Tuesday, September 08, 2009 5:12 PM

To: rule-coordinator

Subject: new rules

Could you please send me a copy of the proposed rules on wells:
64841 Imbler Rd, Cove OR 97824.

I understand that you are holding only one hearing in Seaside? Seems like eastern Oregon is getting blown off again. How about having a few more hearings on this important issue.

thanks,
sharon beck

PHONE CALL

FOR	DATE	TIME	A.M. P.M.
M	Kathy Smith		
OF	PHONE/ MOBILE 541-285-8486		
MESSAGE	.942.9711		<input type="checkbox"/> TELEPHONED
	Copy of Div 190		<input type="checkbox"/> RETURNED YOUR CALL
	New Rules.		<input type="checkbox"/> PLEASE CALL
	Sept 22 hearing in Salem.		<input type="checkbox"/> CALL AGAIN
	Any others?		<input type="checkbox"/> CAME TO SEE YOU
SIGNED	P.O. Box 1538, Cottage Grove, OR 97424		

Brandi Elmer

From: thermochick@eoni.com
Sent: Friday, September 11, 2009 2:42 PM
To: rule-coordinator
Subject: Request for rules

/
Would you please send a copy of the rules (SB 788) to:

Tom Bowman
President Union County Cattlemen
63347 Gekler Ln
La Grande OR 97850

Thank you.

Pat. Larson
Secretary, Union County Cattlemen

Brandi Elmer

From: allseasonswd@comcast.net
Sent: Tuesday, October 13, 2009 8:17 PM
To: rule-coordinator
Subject: coments on rule changes for exempt well user fees

To whom it may concern

my first comment on the new \$300.00 fee for exempt well users is that this along with the start card fee increases was way to much to fast i understand that in these rough economic times money needs to be generated but you cant always keep nailing the public try cutting some pork in your budget like how about some layoffs like the rest of us half to do .Its my understanding that you raised both of these fees without laying anybody off in the owrd department, and i can tell you that everyone that i try to explain these huge increase in fees that they now have to pay when they can Hadley afford to pay the drilling bill really po's the general public and when the times are good are you going to cut fees not likely right never heard of that my self once you increase revenue you never get any back.....!!!!!!!and as far as the new start card increase you guys are starting to sound like the post office with stamps its ridicules the fee was \$75 for years then \$125 and now \$225 the last 2 increases have been in the last couple of years you need to adjust your budget just like ours nobody likes to lay people off but you cant keep raising fees on the little guy all the time you need to really cut back on your budget like everyone else!!!!!!!

2. as far as the map goes when i send in a start card then the site has been gps'ed and i know that the well inspectors in the field have gps this will get you closer than a map from the property owner ever will it is redudant for the property owner and im sure the maps you are getting are not near as accurate as the GPS.

3.stop bothering the property owner with the post cards about fees until you actually get the well log it confuses people you don't know whether it is a good well or a dry one without the well log if it is dry they owe you nothing so why bother them. the public comments to me are they think you guys are desperate and im getting phone calls all the time about the cards you are sending before the well logs are filed if they owe you nothing why send a card

the state should have to cut cost in hard times like everyone else if you have enough money in the budget to justify keeping all your employees on the pay roll when times are bad and things are slow then you should not be asking for more money from the public how can you justify not one person laid off and we all know that only a small portion of wells are being drilled right now the new fee increase was way to much money to the public way to fast!!

4.replacement wells should be exempt from the new filing fee due to the fact they already had right to water before there well needed replaced and in some cases replacing there old well for a new well is healthy for our aquifers thanks to better well construction these days and proper sealing methods why punish them seems really unfair to me.

sincerely.Troy Reynolds LIC#1725

Brandi Elmer

From: Sharon Knopp [knoppse@hotmail.com]

Sent: Monday, October 12, 2009 3:56 PM

To: rule-coordinator

Subject: Comment on Rules from SB 788

Dear Sir or Madame,

I would like to add my comments to the debate for SB788. I oppose the increase on exempt users to a fee of \$300. This is a giant increase on undeserving landowners. Small rural landowners pump a very small percentage of the water in this state. This is a very disproportionate fee on those landowners.

The way this fee is collected is a sticking point for me. Why should this fee be tacked on after a well is drilled and say that it's for the purpose of conducting studies of ground water supplies and processing data and administration. This is what the start card permit fee should cover. If your department does not charge enough money up front to cover administration and studies, then you need to either trim down your department or charge enough to cover these costs. It's quite upsetting to have to pay this fee after the well is drilled. Seems more like a "tax" to me.

Another point I would like to make. The department is sending out these notices for collection of the \$300 fee even before the well has been drilled! You might want to at least wait until the well is drilled before you ask for your fee.

I believe the mapping requirements are very outdated. All the information needed can be garnered from the well reports that drillers turn in. If more detailed information is needed, require the drillers to enter GPS co-ordinates on the well logs. This would be a much more accurate picture of where the well is located rather than relying on the landowner to file a map he has generated without possibly having correct property dimensions.

I realize that your department is experiencing budget shortages and you're looking for ways to overcome this problem. Increasing fees such as this not what we need at this time. Your increases could work towards stunting the potential growth our state needs at this time. Imagine the landowner's dismay to find that just a few years ago they could by with only paying a \$75 fee to drill a well and now they are looking at paying \$525.00!

Regards,

Sharon Knopp
32859 Florence Avenue
Creswell, Oregon

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From: Tammy Dennee <tdennee@owgl.org>
To: Phillip Ward
Sent: Thu Sep 10 18:53:18 2009
Subject: SB 788

Phil,

I have been advised the Department is drafting rules on SB 788 and may not be planning to hold public hearings on the Rules. I would hope you would ensure hearings will be scheduled throughout the State in all of the regions where the rules will be impactful. I appreciate your leadership and trust you will ensure the Administrative Rules process with regard to SB 788 is above reproach.

Thank you my friend.

Tammy L. Dennee

Tammy L. Dennee, CMP, CAE - Executive Director
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11/6/2009

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