

**BEFORE THE OREGON WATER RESOURCES COMMISSION**

In the Matter of a Petition for the Adoption of a New	)	Final Order
Rule Under ORS 183.390 Identifying the Duties and	)	Denying Petition for
Liabilities of Well Contractors that Perform Well	)	Rulemaking
Alterations	)	
 Oregon Ground Water Association	)	
<i>Petitioners</i>	)	

On March 3, 2008, Petitioners submitted a Petition requesting the Water Resources Commission (Commission) to initiate rulemaking for the purpose of adopting an administrative rule identifying the duties and liabilities of well contractors that perform well alterations. According to Oregon statute [ORS 183.390(1)] and administrative rule [OAR 137-001-0070 (4) (c)], the agency must, within 90 days of the submission of the petition, either deny the petition in writing or initiate rulemaking proceedings. Oregon law (ORS 537.535) requires that no person may use ground water or operate or permit the operation of any well owned or controlled by such person except in compliance with statutes and rules governing ground water including well construction standards. Upon review, the Commission has determined to deny the petition and direct staff to include the subject matter of the petition in a broader review of well construction rules.

**ORDER**

The Petition is denied.

Dated this \_\_\_\_\_ day of May, 2008.

Dan Thorndike, Chair  
Oregon Water Resources Commission

**Review Rights**

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.