

# Division 512 Rulemaking Update

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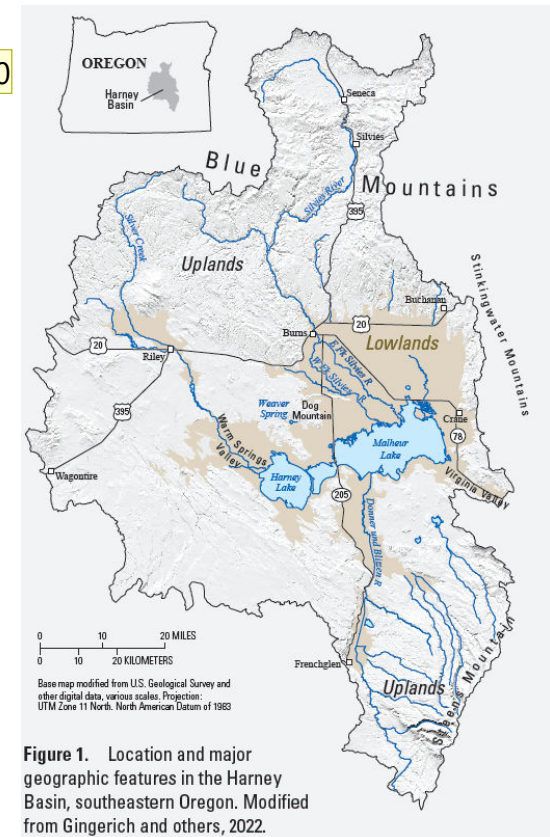
**June 12th, 2025**



# The Groundwater Reservoir

- One groundwater reservoir
- Occurs in multiple connected geologic units (aka "rocks")
- Behaves differently through the different geologic units
- Rates and magnitudes of recharge and discharge vary based on location

GW0



## Slide 2

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**GW0**

too small to read, maybe swap photo to left side and right text to give additional space

GONZALEZ Danielle L \* WRD, 2025-06-05T20:54:25.444

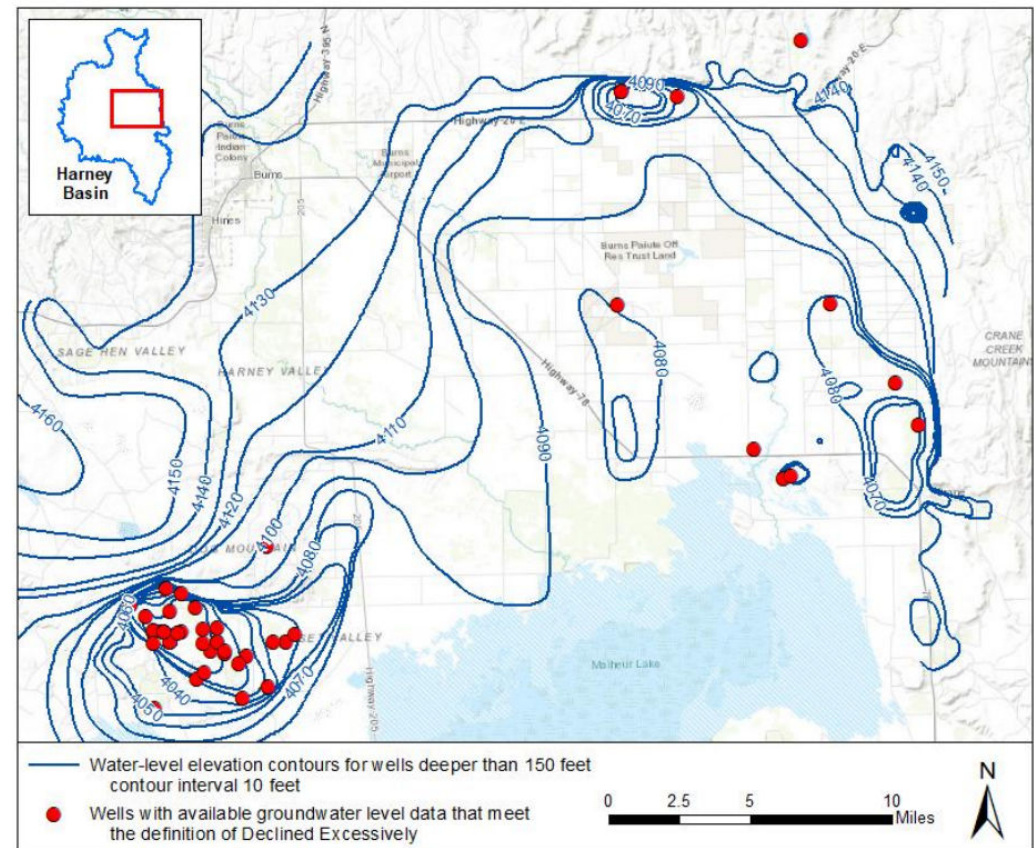
# Critical Groundwater Area Criteria

- Groundwater levels have **declined excessively** (>50 ft total decline) and are **excessively declining** (decline >3ft per year for at least 10 years)
- The available groundwater supply is being or is about to be **overdrawn** (pumping > recharge)



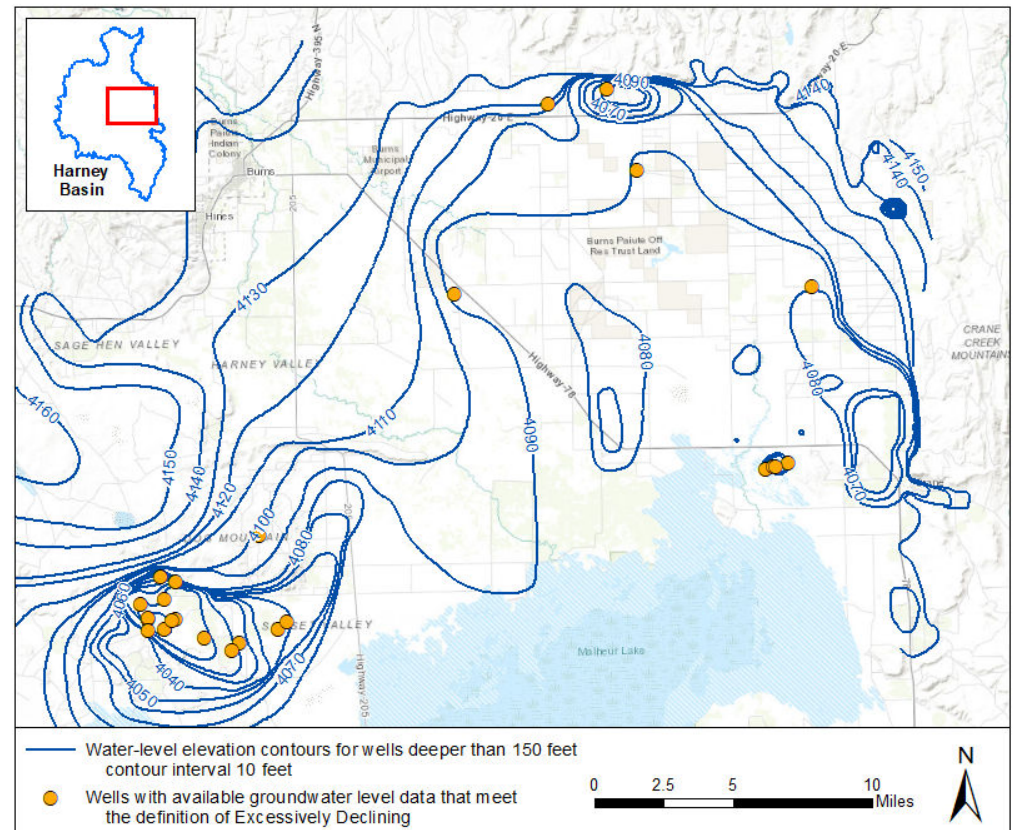
# Declined Excessively

- Greater than 50 ft of decline from highest known levels
- Number of wells that meet this threshold is limited by:
  - Lack of historic measurements for wells
  - Lack of current measurements for wells
- More wells expected to reach this threshold within several years



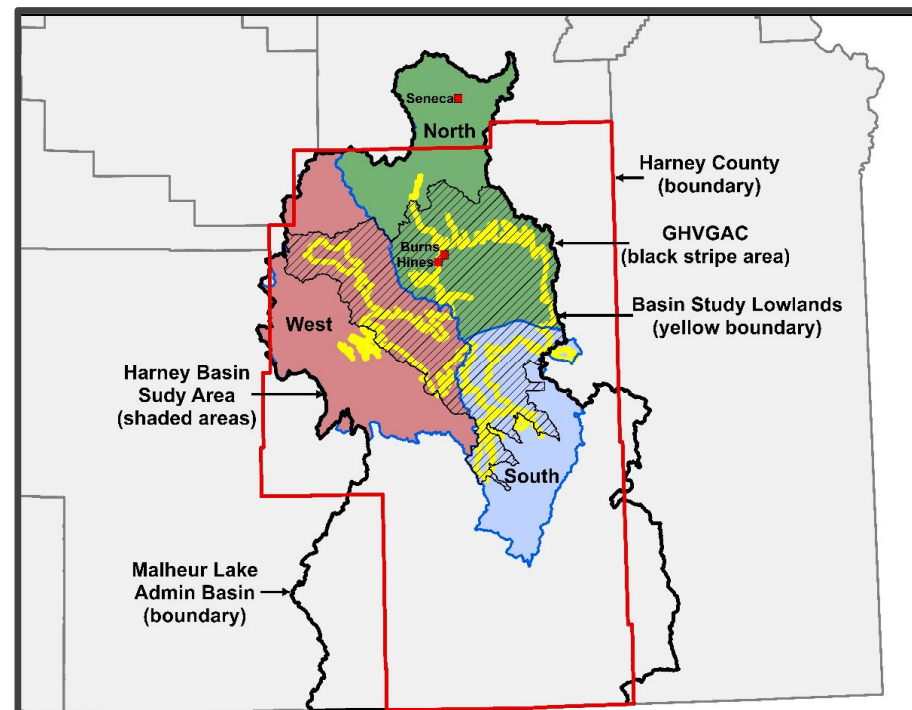
# Excessively Declining

- Decline rate at least 3 ft per year for at least 10 years
- Number of wells that meet this threshold is limited by a lack of current measurements for wells
- More wells expected to reach this threshold within several years



# Overdrawn

Water Budget Region	Difference of lowland recharge and pumpage (AF/yr)	Difference of lowland recharge and authorized use (AF/yr)
Northern region	-2,700	-96,454
Southern region	26,400	10,557
Western region	4,500	-18,204
Harney Basin	28,200	-104,101



# Strategy to Address the Issues

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# Addressing the Issue

1. **Protect recharge** – Classification of upland areas to prevent development
2. **Reduce groundwater use** – Critical Groundwater Area (CGWA), Voluntary Agreements, Conservation Reserve Enhancement Program (CREP)
3. **Achieve accountable water use** – Serious Water Management Problem Area (SWMPA)

# Protect Recharge

- Prevent further groundwater development in the uplands where the majority of recharge occurs
- Classification Boundary is shown as Exhibit 4 in staff report
- Allow only exempt uses and non-consumptive geothermal

# Reduce Groundwater Use

- Critical Groundwater Area
  - Boundary and subareas are Exhibit 6 in staff report
  - Establish permissible total withdrawal (PTW)
  - Specify how reductions will occur and adaptive management plan
  - Reductions scheduled to begin in 2028
- Voluntary Agreements
  - Users can work together to reduce use and achieve the goal
- CREP
  - Voluntary cancellation of water rights in return for payment

# Achieve Accountable Water Use

- Serious Water Management Problem Area (SWMPA)
  - Boundary is Exhibit 3 in staff report
  - Requires flow meters on all points of appropriation (POAs) by March 1, 2028
  - Exemption for POAs regulated off and disconnected from water use infrastructure
  - Must record use monthly and report annually



# How Did We Limit Impacts?

## Environmental and Domestic

- Frontloading curtailment results in:
  - Higher final water levels
  - Fewer dry domestic wells
  - Less reduction in natural discharge to streams and springs
  - Less reduction in evapotranspiration by groundwater dependent ecosystems
- Requiring durable stability
- Requiring recovery in Weaver Springs reduces impacts on domestic wells substantially

# How Did We Limit Economic Impacts?

- Set goal of **stability** rather than **recovery** of groundwater levels
- Optimized the model to identify the smallest reductions in pumping required to achieve durable stability
- Created subareas allowed for targeted water use reductions
- Required stability in half of the wells (median) rather than a higher percentage
- Set timeline to achieve the goal at 30 years rather than ASAP
- Phase reductions over 24 years in 6 yr increments, rather than ASAP
- Implement **adaptive management** to prevent over-curtailment
- Initial allotment based on historic use, not paper water rights

# WRD Proposal and Results

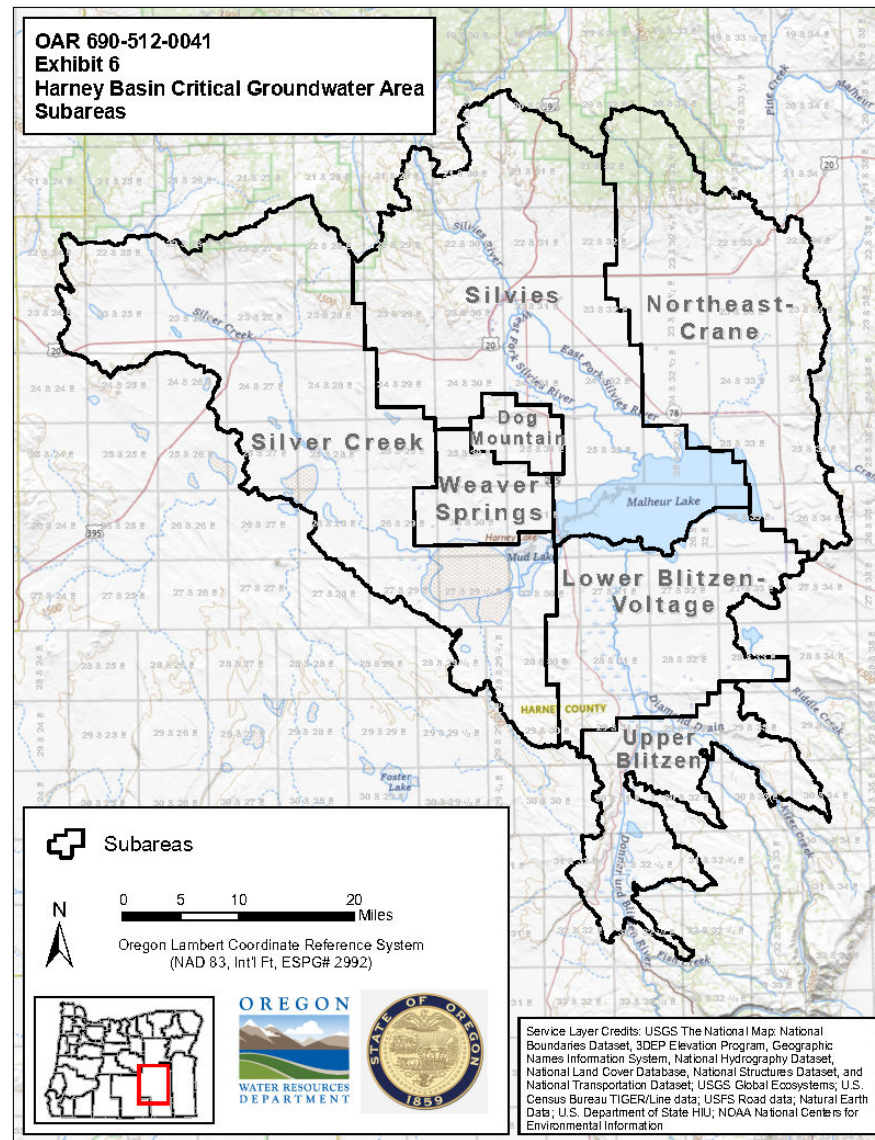
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# Proposed Management Parameters

Parameter	WRD Proposal
Spatial extent	GHVGAC with 7 subareas
Stability success metric	Durable, Median (50 <sup>th</sup> percentile) of well-cells - Fixed PTW in Weaver Springs, 75% reduction
Timeline to achieve goal	30 years
Frequency of adaptation	Every 6 years
Timeline for reductions	24 years with frontloading of reductions - 40%, 30%, 15%, 10%, and 5% of total - In Weaver Springs, 75% and 25%
Discharge to streams and springs	Not used to constrain PTW; limit impact with frontloading of curtailment
Natural evapotranspiration	
Dry domestic wells	



# Subarea map



# Proposed Reductions by Subarea

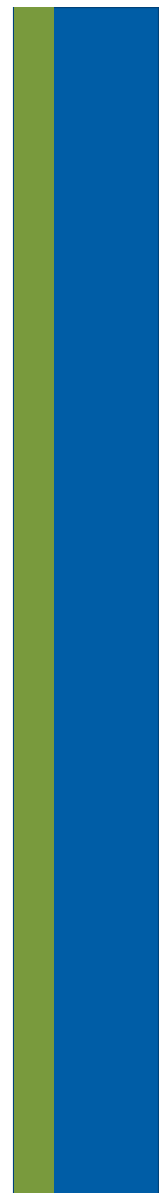
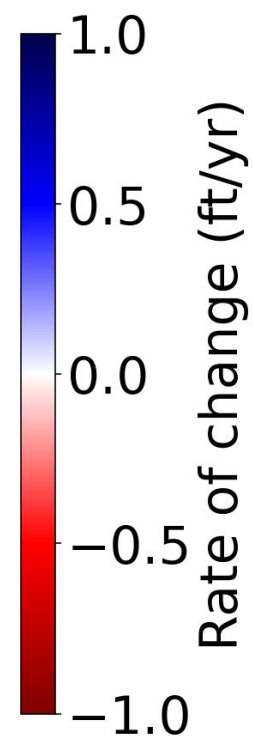
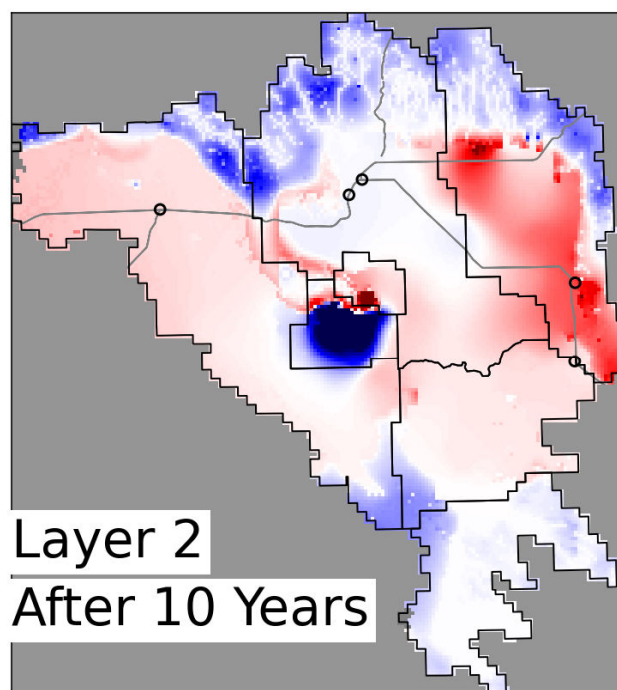
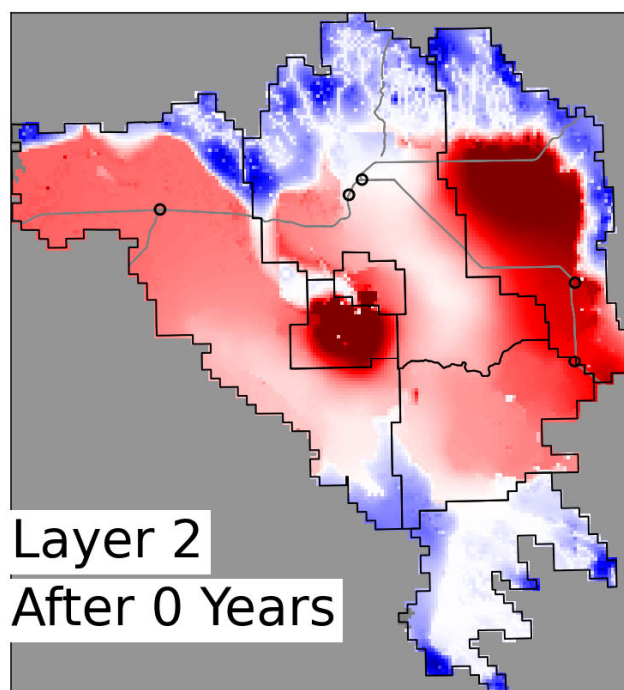
Subarea	Modeled 2018 Nonexempt Pumpage (kaf/yr)	WRD Proposal PTW (kaf/yr)	WRD Proposal Change (%)
<b>Dog Mountain</b>	4.6	4.2	-9%
<b>Lower Blitzen- Voltage</b>	13.7	8.3	-39%
<b>Northeast-Crane</b>	53.0	35.0	-34%
<b>Silver Creek</b>	21.0	15.2	-28%
<b>Silvies</b>	24.9	21.2	-15%
<b>Upper Blitzen</b>	0.1	0.1	0%
<b>Weaver Springs</b>	19.2	4.8	-75%
<b>Overall</b>	136.5	88.8	-35%

# Proposed Reductions by Subarea at Each Check-In

Subarea	2028 (40%)	2034 (30%)	2040 (15%)	2046 (10%)	2052 (5%)	Total Reduction
Dog Mountain	-4%	-3%	-1%	-1%	-0.5%	-9%
Lower Blitzen-Voltage	-16%	-12%	-6%	-4%	-2%	-39%
Northeast-Crane	-14%	-10%	-5%	-3%	-2%	-34%
Silver Creek	-11%	-8%	-4%	-3%	-1%	-28%
Silvies	-6%	-5%	-2%	-2%	-1%	-15%
Upper Blitzen	0%	0%	0%	0%	0%	0%
Weaver Springs*	-56%	-19%	-	-	-	-75%
Overall	-18%	-10%	-4%	-2%	-1%	-35%

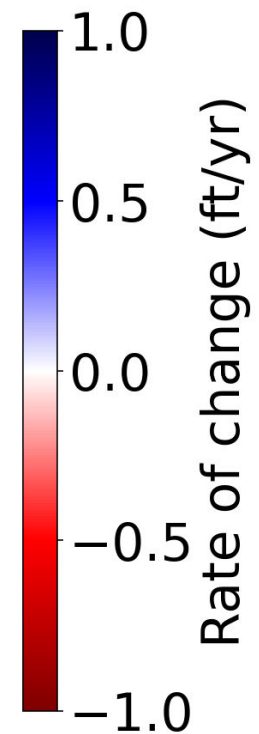
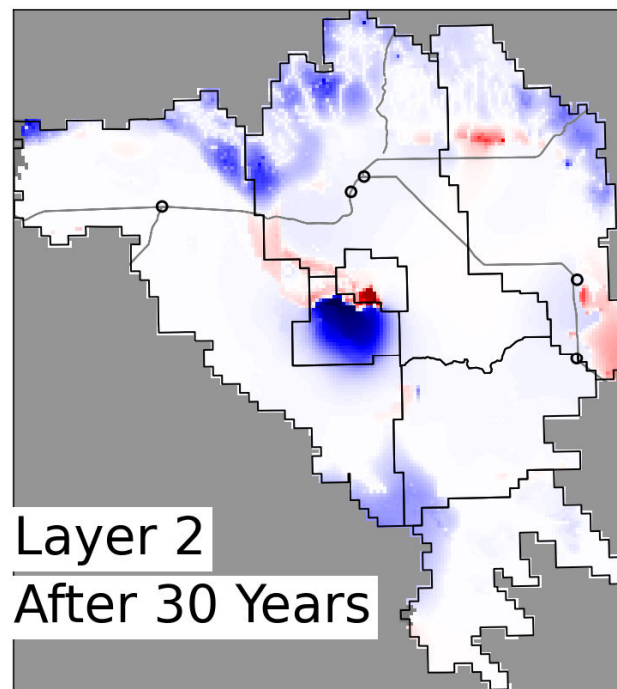
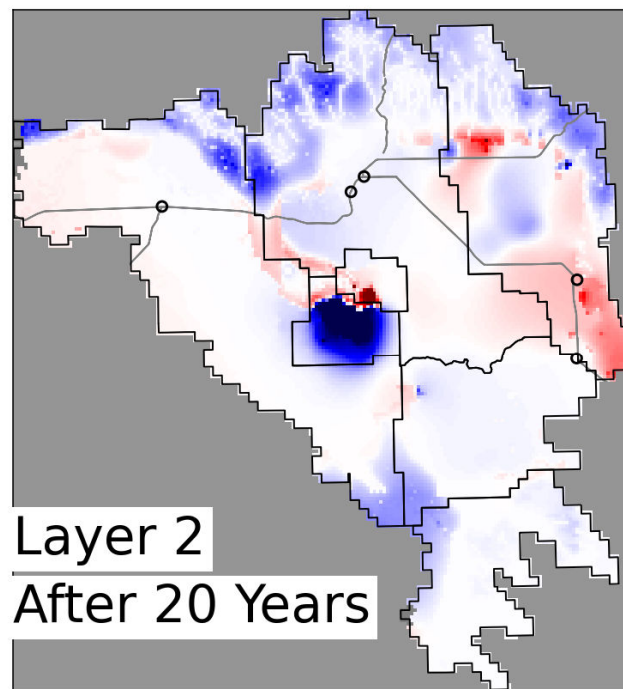
\*Percentage reductions are based on 2018 modeled pumpage.

# Water Level Rates of Change

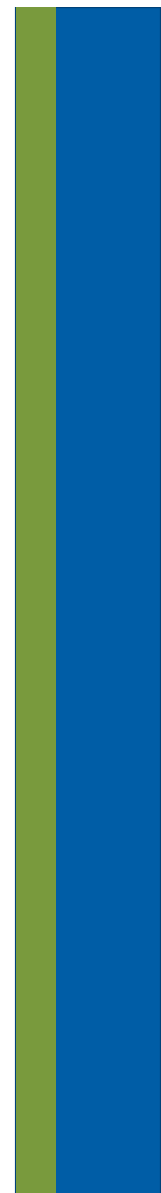
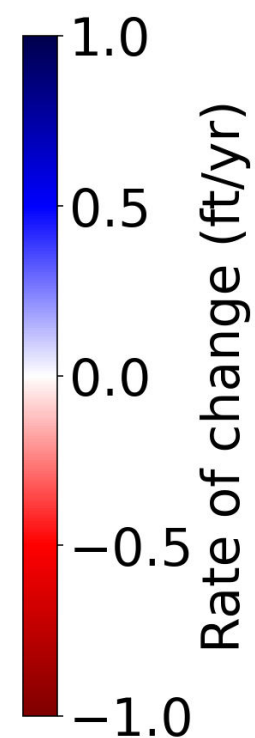
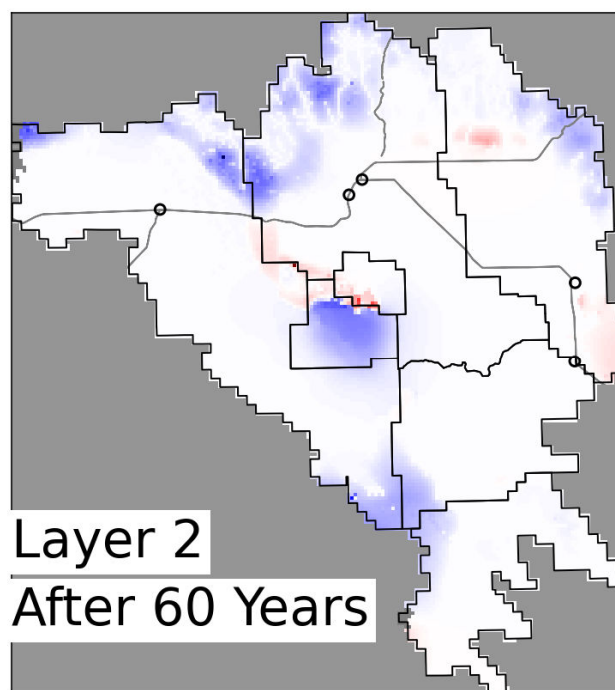
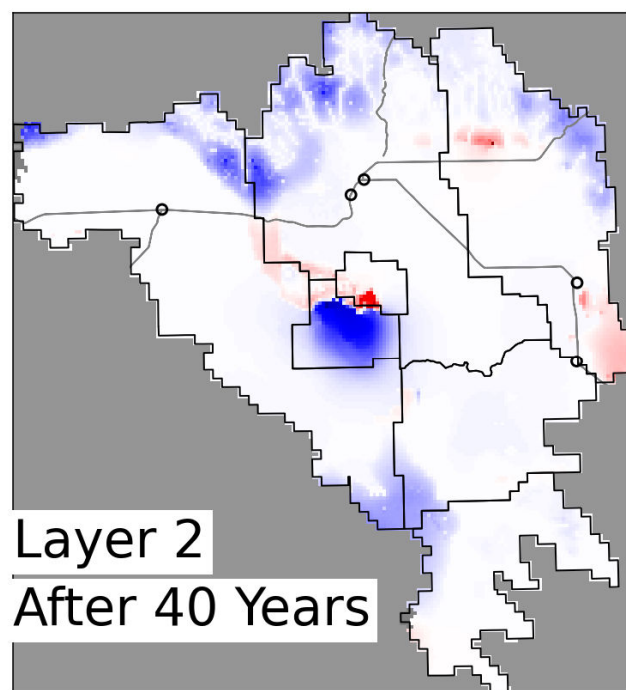




# Water Level Rates of Change



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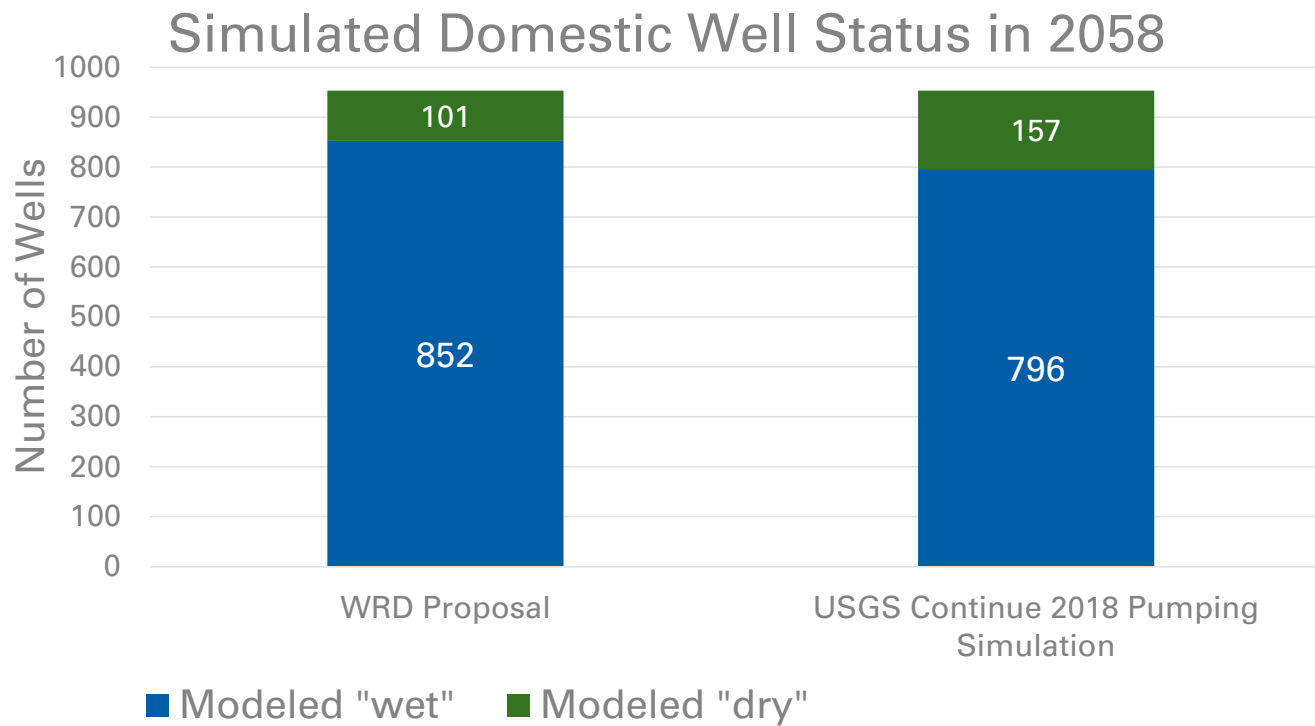


# Change in Median Water Levels - 2018 to 2058

Subarea	WRD Proposal (ft)	USGS Continue 2018 Pumping Simulation (ft)*	Difference (ft)
<b>Dog Mountain</b>	-4.6	-9.6	+5
<b>Lower Blitzen- Voltage</b>	-5.3	-11.3	+6
<b>Northeast-Crane</b>	-16.0	-30	+14
<b>Silver Creek</b>	-5.5	-9.5	+4
<b>Silvies</b>	-0.2	-2.2	+2
<b>Upper Blitzen</b>	+0.3	+0.3	0
<b>Weaver Springs</b>	+8.7	-46.3	+55

\*Water levels are still declining in 2058 in the USGS Continue 2018 Pumping Simulation

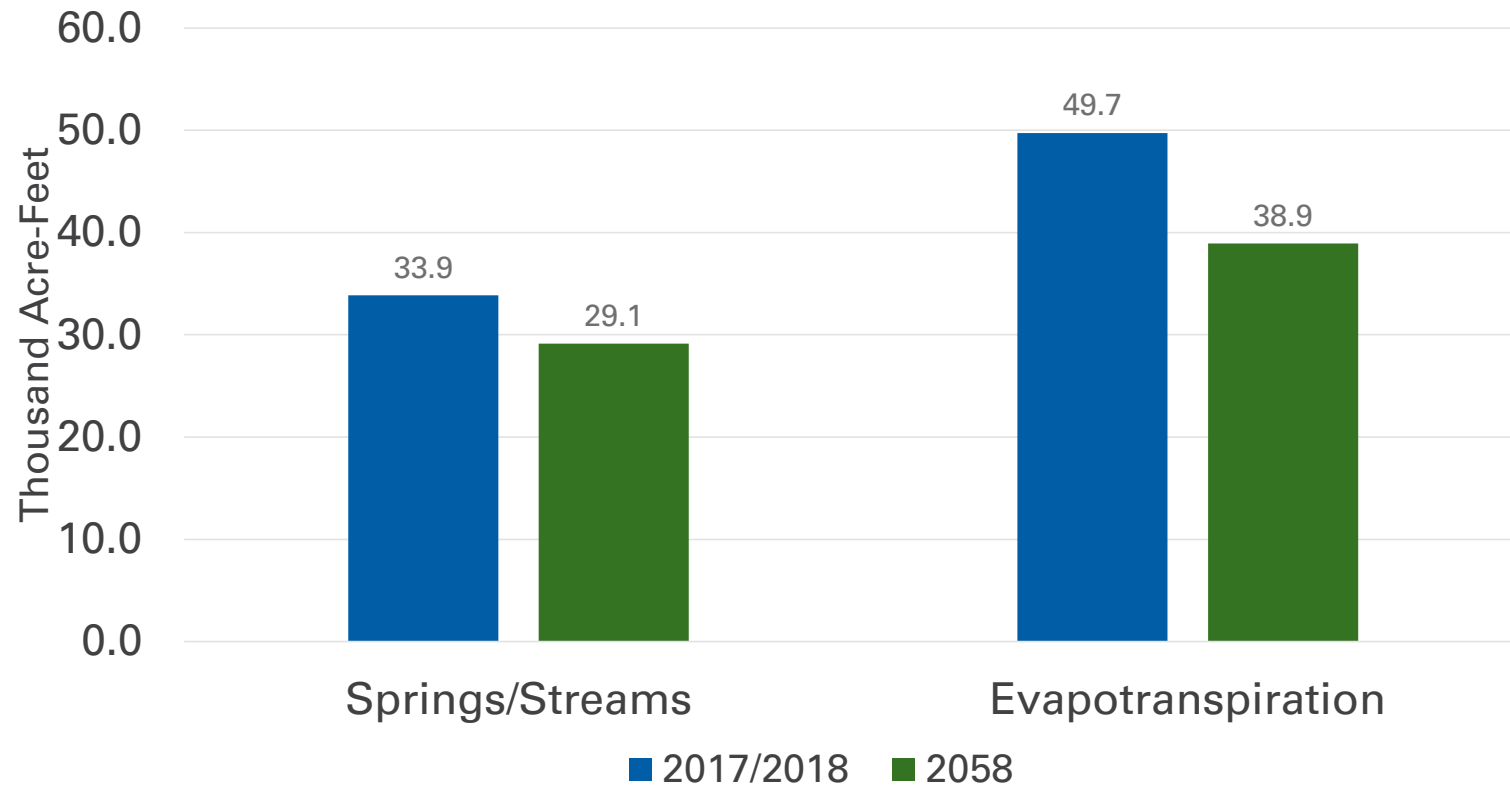
# Anticipated Domestic Well Impacts



\*"Dry" means that the water level in the model cell dropped below the bottom of the well in the model.



# Anticipated Change in Natural Discharge



- Simulated difference in natural discharge between 2018 and 2058 for the WRD proposal

# Fiscal Impact

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# Fiscal Impact Statement (FIS)

Consists of two elements:

1. Estimated Economic Impact: evidence-based summary of the anticipated economic effects of the rules
2. Cost of Compliance: Evaluates the cost to comply with rules

# Structure of Fiscal Impact Statement

## Structure of Fiscal Impact Statement

- Characterizing Harney County economy
- Critical Groundwater Area impacts
- SWMPA impacts
- Classification impacts

# Structure of Cost of Compliance

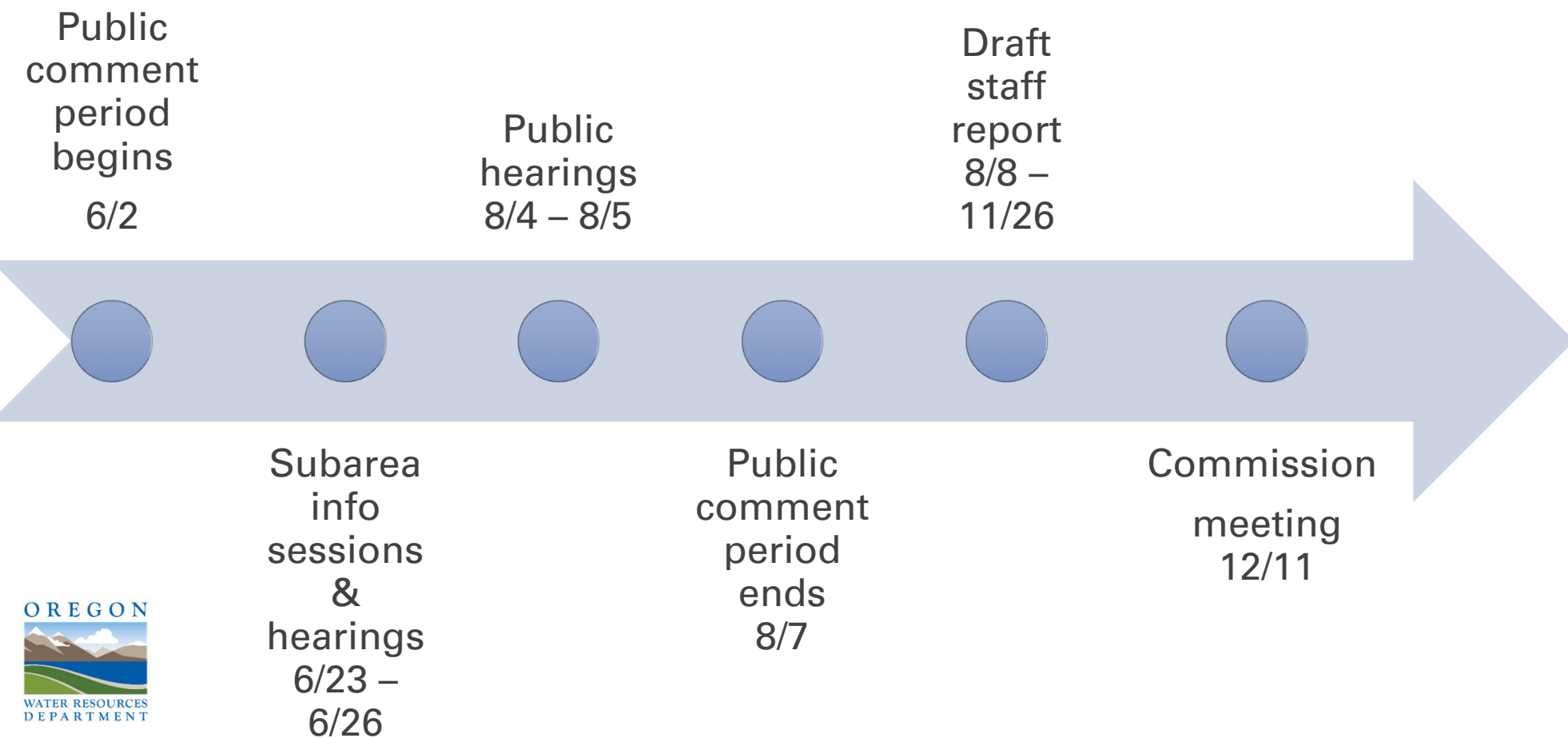
## Structure of Cost Compliance

- Cost of compliance for CGWA
- Cost of compliance for SWMPA
- Cost of compliance for classification

## Impacts examined

- OWRD
- Local Government
- Member of the public
- Small Business

# Remaining Div 512 rulemaking schedule



# Next Steps



- **Public Comment Period Begins 6/2**
- **Subarea Info Sessions and Hearings 6/23 – 6/26**
- **Public Hearings 8/4 – 8/5**
- **Public Comment Period Ends 8/7**
- **Draft Staff Report 8/8 – 11/26**
- **Commission Meeting 12/11**