

**Water Resources Commission**  
**Teleconference**  
**Salem, Oregon**  
**July 30, 2009**

WRC Present by phone

Charlie Barlow  
Mary Meloy  
Ray Williams  
John Roberts  
Jeanne LeJeune

Staff Present

Phil Ward  
Tom Paul  
Cindy Smith  
Jerry Rodgers  
Barry Norris  
Tracy Louden

Others

Helen Moore  
Jerry Schmidt

Written material submitted at this meeting is part of the official record and on file at the Oregon Water Resources Department, 725 Summer St. NE, Salem, Oregon 97301-1271. Audiotapes of the meeting are on file at the same address.

Acting Chair Charlie Barlow welcomed everyone to the teleconference meeting. The Commission introduced themselves and roll was taken so the Commission knew who was in the room for the teleconference meeting.

**A. OAR Chapter 690, Division 180, Temporary Rules Relating To The Recording of Exempt Groundwater Use**

Tom Paul, Deputy Director, briefed the Commission on the request to adopt temporary rules relating to the recording of exempt groundwater use. The proposed temporary rules provide landowners with the criteria to use when recording an exempt use with the Department, required under Senate Bill 788 (2009 Laws).

The 2009 Legislature passed Senate Bill SB-788, legislation related in part to new exempt groundwater uses developed on or after July 1, 2009. The new law requires landowners of property on which a well is drilled for an exempt use purpose provide the Department with a map showing the exact location of the well on their property and pay a one-time recording fee of \$300. Landowners are to record exempt use within 30 days after the well is completed. The fee will be used to evaluate groundwater supplies, conduct groundwater studies, carry out groundwater monitoring, processing groundwater data, and administration and enforcement of the law.

If adopted, the Temporary Rules will be in effect until permanent rules can be adopted, or for 180 days whichever comes first.

Permanent rules will be developed through a rules advisory committee and public hearing(s). Following the public process, staff will submit proposed rules at a future Commission meeting for consideration.

Paul brought to the Commission's attention an amendment that staff recommend before the adoption of the temporary rules. The suggested amendment would clarify the exempt use recording requirement that is in SB 788. The amendment is the addition of the following language "as amended by SB 788 (75<sup>th</sup> Legislative Assembly)", and would immediately follow the statutory reference of ORS 537.545. This amendment would effect 690-180-0010(4) and 690-180-0100(2).

Commissioner Williams moved approval of adoption of the final proposed temporary rules as amended; seconded by Commissioner Meloy. Voting for the motion: Commissioners Barlow, Williams, Meloy, LeJeune and Roberts. Voting against the motion: None.

There being no further business, the meeting was adjourned.

Respectfully Submitted,

Cindy Smith  
Commission Assistant