



# Oregon

John A. Kitzhaber, MD, Governor

## Water Resources Department

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### MEMORANDUM

**TO:** Water Resources Commission

**FROM:** Mike McCord, NW Region Manager  
Kris Byrd, Well Construction & Compliance Section Manager

**SUBJECT:** Agenda Item R, November 21, 2014  
Water Resources Commission Meeting

### **Informational Report on District 18 and 2013 Field Regulation and Enforcement Activities**

#### **I. Issue Statement**

During this agenda item, staff will provide information on 2013 field regulation and enforcement activities.

#### **II. Background**

##### *A. Field and Enforcement Structure and Duties*

Watermasters have the responsibility for ensuring the distribution of water according to the system of prior appropriation. In 2013, the Department had 20 watermasters housed in five regional offices and in 15 satellite offices located throughout the state. The Department added a new office in Enterprise (District 07) in 2014. Attachment 1 is a list of Department watermasters and their locations. In addition, in 2013 there were five state-funded assistant watermasters and 15 locally-funded part-time and full-time assistant watermasters. The locally funded assistants are typically compensated through county budgets, grants, or contracts.

Regional offices also house staff such as well inspectors, water right and transfer specialists, hydrographers, and hydrologists. Day-to-day functions carried out by field staff include:

- Surface and groundwater regulation
- Installation of surface water measuring devices
- Customer service and public outreach
- Stream gaging and measurements
- Implementation of Oregon Plan measures
- Investigation and referral of formal enforcement activities
- Preparation of hydrographic records
- Dam safety inspections
- Well construction compliance and enforcement activities

- Final proof surveys, mapping and proposed certificate preparation
- Field assistance to other Department divisions
- Water right transfer application processing

These day-to-day field activities involve working with water users to ensure compliance with the terms and conditions of their water rights. While many of these activities fall under the definition of enforcement, they do not typically involve formal remedies such as civil penalties.

When voluntary compliance in the field fails, regulatory actions are subsequently referred to the Well Construction and Compliance Section Manager for formal enforcement action. The Well Construction and Compliance Section Manager is responsible for developing enforcement policy, carrying out formal enforcement actions, negotiating resolutions, and maintaining statewide program consistency. Formal enforcement is initiated by the issuance of a proposed order and may include consequences such as suspension of a well constructor's license or assessment of civil penalties. Generally, by working with individuals, most formal enforcement actions are settled before the case is referred to the Office of Administrative Hearings.

Staff in the Well Construction and Compliance Section include a Well Construction Program Coordinator who oversees the well inspection program, including maintaining continuity among the regional well inspectors, interpretation of the administrative rules governing well construction, and the issuance of special standards. The section also includes one Well Licensing Program Specialist, who oversees well constructor licensing and continuing education; a Well Log Review support position; a Well Identification Label and Start Card support position; and an Exempt Use Well Program Coordinator.

#### *B. Enforcement Priorities*

Watermasters and field staff often have more work than they can accomplish. To address this problem, the Department developed internal management directives to assist staff in setting priorities for enforcement actions. The directives have been used for several years and are an effective tool for prioritizing field work. The Oregon Plan for Salmon and Watersheds also requires staff to prioritize watersheds for scheduling work activities.

Field staff's goal is to engage in pro-active water management rather than relying solely on a complaint-driven process. The directive highlights the effectiveness of education in preventing water law violations before they occur. Water users are more likely to voluntarily comply when they are knowledgeable about their rights and responsibilities, and when users and field staff know what to expect from each other. When not responding to complaints, known violations, and other high priority assignments, staff engage in public education activities.

Another priority for watermasters and assistant watermasters is installation of measuring devices on surface water significant points of diversion (SIGPOD) in high priority stream basins. A SIGPOD diverts greater than five cubic feet per second (cfs), or greater than 10 percent of the lowest monthly 50 percent exceedance flow and greater than 0.25 cfs (essentially, a rate that would be considered large relative to the low flow of the stream), or has a condition on the water

right requiring installation of a measuring device. Attachment 2 provides a summary of SIGPOD work completed in high priority basins through the end of calendar year 2013.

Well inspections and well construction enforcement are also a priority for watermasters, although this work is typically led by regional well inspectors who are funded through Start Card fees. The continuing reduction in Start Card fee income has impaired the Department's ability to fill well inspector positions as they become vacant. The watermaster's efforts, therefore, help to meet the Department's goal of inspecting a minimum of 25 percent of all new wells drilled.

### *C. Surface Water Regulation*

Water is distributed according to priority date, regardless of the type of beneficial uses involved. The oldest rights get the water first unless the right is specifically subordinated to junior users, as in the case of some rights to use water for hydroelectric power. The type of use becomes important only when conflicting uses have the same priority date. In this case, a domestic use would have preference to all others, and an agricultural use would have preference to a manufacturing use (ORS 540.140).

Regulation, or distribution of surface water, can be triggered in a variety of ways. The Department has developed guidance to assist staff in addressing a call for surface water.

Watermasters do not begin regulation until the amount of streamflow has been measured and legal rights of the users are known. If streamflow is not adequate to satisfy an instream water right, or if a call is made by a senior water user, the watermaster begins an investigation and takes appropriate actions such as curtailing or shutting off the diversion of junior users. Only in unusual cases, when voluntary compliance with the watermaster's request is not achieved, do formal phases of enforcement begin.

On stream systems where annual regulation occurs, watermasters prepare distribution maps showing the location of the rights, priority date, and other necessary information. This may involve several hours or days of effort, depending on the number of water rights in the stream basin. In some districts the watermaster has a database of water right information and is able to generate "distribution letters" requesting that junior users curtail their diversions.

Unauthorized uses of water discovered during surface water regulation are addressed first. In addition to uses without a water right, illegal uses include exceeding the limit of the right or violating a condition of the right, such as an unauthorized point of diversion or an excessive diversion rate. If eliminating illegal use does not provide the water to satisfy senior water rights, the watermaster will require junior right holders to reduce or discontinue their use until this goal is met. If no junior rights exist, or if these actions do not provide the necessary additional water, the watermaster will inform the affected senior user.

During regulation, watermasters often negotiate voluntary reductions, rotations, or compliance schedules with water users. Senior right holders may volunteer to use less than their entitlement so that junior users are not completely shut off. In a rotation, groups of users agree to pool their rights so each participant may receive the amount of water "...to which they are collectively

entitled” (OAR 690-250-0080). The available surface water is shifted to each user in the rotation in time proportional to each user’s fraction of the collective water rights.

The most critical element in ensuring regulatory success is the trust users have in the watermaster’s knowledge, consistency and integrity. When a high level of trust is attained, the amount of time spent by the watermaster on a particular stream is minimized, and voluntary compliance tends to be the norm. Where the watermaster is involved annually in regulating a particular stream system, both the watermaster and the users are well aware of existing water rights and generally know what to expect from each other.

#### *D. Regulation of Well Construction*

Regulation of well construction may be initiated in several ways. Generally, the process begins with receipt of a “Notice of Beginning of Well Construction” also known as a “Start Card.” After the start card is received by the Department, the well inspector or watermaster may make a site visit. Well inspections can also be initiated by complaints or inquiries from the public, or through an investigation by the well inspector or watermaster. Well inspectors work closely with drillers to informally resolve problems and protect the groundwater. The Department’s goal is to inspect a minimum of 25 percent of all new wells constructed.

### **III. Discussion**

#### *A. 2013 Surface Water Regulation*

In 2013, watermasters and their assistants regulated 535 stream systems, up from 437 in 2012. Multiple regulations may occur on any one stream. Regulation was prompted by the watermaster’s own investigation in 459 cases and by complaints in 299 cases. Actions were taken to protect instream rights in 315 cases, to protect senior rights in 344 cases, and to stop unauthorized use in 98 cases. Attachment 3 provides a summary of field staff actions.

The Department’s definition of a regulatory action is “any action that causes a change in use or maintenance or a field inspection that confirms that no change is needed to comply with the water right, statute or order of the Department.” Watermasters reported a total of 17,932 regulatory actions in 2013, compared to 11,486 in 2012. Of these 17,932 regulatory actions, 2,788 involved written notices. There is a large variation in total regulatory actions among the regions. For example, the efforts range from one action per stream to a high of 1,705 actions on the Umatilla River, tributary to the Columbia River. Differences can be attributed to the number of irrigation districts compared to the number of individual users; the number of water management schemes such as rotation agreements, exchanges, and stored water delivery; the length of the regulation season; water availability; and the number of points of diversion. Additionally, there is annual variation in the regulatory actions performed each year that are influenced by seasonal weather and staff resources.

In 2013, statewide, compliance with water rights and regulations was approximately 96 percent, compared to 97 percent in 2012. Attachment 4 provides a regional and watermaster district breakdown of compliance rates for 2013. The category of earliest priority regulated reflects, for

each river system, the earliest water right priority date that was regulated by the watermaster to a diversion rate less than the maximum legal limit.

In 2013 staff worked with water users to have measuring devices installed and confirmed installation on 112 significant points of diversion in high priority watersheds around the state. This compares to 51 significant diversions installed in 2012. Measuring devices help staff with streamflow monitoring and ensuring that distribution and regulation of water needed to protect instream water rights are performed expeditiously.

The instream leasing, transfer, and allocation of conserved water programs are yielding increasing quantities of water that are protected instream. The Department continues to work directly with water right holders, as well as with the Deschutes River Conservancy, Klamath Basin Rangeland Trust, Freshwater Trust, and other organizations to promote voluntary streamflow restoration. In 2013, about 2400 cubic foot per second of water (excluding supplemental water rights) was dedicated instream. These flows are critical to fish recovery efforts; however, establishment of these rights does represent an increase in the regulatory workload of watermasters and field staff.

#### *B. 2013 Well Program Activity*

Well reports, or “logs”, are a physical description of well construction, alteration, abandonment, conversion, or deepening. In 2013, the Department received reports for 1,330 monitoring wells, 2,571 water supply wells, and 6,227 geotechnical holes. A geotechnical hole is a cased or uncased, permanent or temporary (less than 72 hours) “hole” constructed for the purpose of evaluating subsurface information.

In 2013, 2,413 start cards were received for new wells (441 monitoring wells and 1,972 water supply wells). The regional well inspectors and field staff performed a total of 1,331 well inspections. Of that number, 959 inspections were conducted on new construction, representing an inspection rate of 39 percent of all new wells. Of the new wells inspected, 42 percent were water supply wells and 27 percent were monitoring wells. About 7 percent of the new wells inspected were deficient. The deficiencies were predominantly minor and were most often resolved voluntarily by the well constructor. Attachment 5 summarizes the Well Construction Program Data for 2013.

#### *C. Formal Enforcement Activity*

Many of the Department’s regulatory actions are resolved upon notice to the responsible party. If compliance is not achieved at this level, the watermaster may issue a Notice of Violation. This written notice specifies the nature of the violation, timeframes within which compliance is expected, and the consequences for failure to comply voluntarily.

If compliance is not achieved following the Notice of Violation, the matter is referred through the Region Manager to the Well Construction and Compliance Section Manager for a formal enforcement action. If the Department determines there is sufficient evidence to pursue the matter, a proposed order is issued, which may include assessment of civil penalties. The violator

has a specified period to request a contested case hearing. If no hearing is requested, a final order is issued and enforced.

At any point in the enforcement process, the responsible party may choose to comply. Of the 17,943 regulatory actions taken in 2013, it is significant that only two Notices of Violation were issued by field staff, indicating that a very high degree of compliance is achieved voluntarily.

#### **IV. Conclusion**

Maintaining a strong field presence is important to the management and distribution of water in this state, and obtaining compliance with Oregon's water laws. Field staff seek first to obtain compliance voluntarily and through education; therefore, the need to conduct formal enforcement actions is often unnecessary. In addition, it is critical for the Department to maintain a firm, consistent, and fair posture on water law and well construction violations. This minimizes the number of formal enforcements and allows staff to be as efficient as possible in enforcing the water laws in the field.

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#### Attachments:

1. List of Watermasters by District
2. Significant Point of Diversion Summary Table
3. 2013 Surface Water Summary Totals and by Region
4. 2013 Compliance Rate Summary by Watermaster District and Region
5. 2013 Well Construction and Inspection Summary

**Watermaster List**

|    |   |  |             |
|----|---|--|-------------|
| 1  | Clatsop/Lincoln/Tillamook/<br>Western Columbia (Nehalem)        | VACANT, WM<br>503 842-2413 x 119             | Tillamook   |
| 2  | Lane/Linn   | Michael Mattick, WM<br>541 682-3620          | Eugene      |
| 3  | Hood River/Wasco/Sherman  | Robert Wood, WM<br>541 506-2650              | The Dalles  |
| 4  | Wheeler/Grant/John Day R. -<br>Upstream                         | Eric Julsrud, WM<br>541 575-0119             | Canyon City |
| 5  | Umatilla/Morrow/Umatilla<br>Basin except Willow Cr<br>Sub-Basin | Greg Silbernagel, WM<br>541 278-5456 x 290   | Pendleton   |
| 6  | Wallowa/Union   | Shad Hattan, WM<br>541 963-1031              | La Grande   |
| 7  | Enterprise  | David Bates, WM<br>541 426-4464              | Enterprise  |
| 8  | Baker   | Rick Lusk, WM & Asst RM<br>541 523-8224 x 31 | Baker City  |
| 9  | Malheur   | Ron Jacobs, WM<br>541 473-5130               | Vale        |
| 10 | Harney  | JR Johnson, WM<br>541 573-2591               | Burns       |
| 11 | Jefferson/Crook/Deschutes                                       | Jeremy Giffin, WM<br>541 388-6669            | Bend        |
| 12 | Lake  | Brian Mayer, WM<br>541 947-6038              | Lakeview    |
| 13 | Jackson   | Travis Kelly, WM<br>541 774-6880             | Medford     |
| 14 | Josephine   | Katherine Smith, WM<br>541 479-2401          | Grants Pass |

|    |  |                                       |               |
|----|--|---------------------------------------|---------------|
| 15 | Douglas/Lane   | David Williams, WM<br>541 440-4255    | Roseburg      |
| 16 | Marion/Polk/Benton/Clackamas/<br>Yamhill/Lincoln                   | Mike McCord, WM<br>503 986-0889       | Salem         |
| 17 | Klamath  | Scott White, WM<br>541 883-4182 x 223 | Klamath Falls |
| 18 | Washington/Eastern Columbia  | Jake Constans, WM<br>503 846-7780     | Hillsboro     |
| 19 | Curry/Coos   | Mitch Lewis, WM<br>541 396-1905       | Coquille      |
| 20 | Multnomah/Clackamas R & Sandy<br>R Drainages in Clackamas Co.      | Amy Kim, WM<br>503 722-1410           | Oregon City   |
| 21 | Lower John Day R 183.5 to<br>Columbia R/Gilliam/Morrow/<br>Sherman | Ken Thiemann, WM<br>541 384-4207      | Condon        |

Revised 10/10/2014



Measurement Device Status for Phase I & II Sig PODs within High Priority Watersheds  
*Summary Report by Region & District (10/10/2014)*

East Region [ Spriet ]

**WM District 6 [ Shad Hattan ] 118 High Priority SPODs in this District**

Diversions with Measurement installed: 24 ( 1 installed in 2013, and 5 others confirmed\* in 2013)

Abandoned\*\* Diversions: 23 ( 0 Abandoned currently leased or transferred instream)

Diversions In Progress: 5

Diversions Needing Progress: 66

**WM District 8 [ Rick Lusk ] 36 High Priority SPODs in this District**

Diversions with Measurement installed: 32 ( 0 installed in 2013, and 0 others confirmed\* in 2013)

Abandoned\*\* Diversions: 4 ( 0 Abandoned currently leased or transferred instream)

Diversions In Progress: 0

Diversions Needing Progress: 0

**WM District 9 [ Ron Jacobs ] 32 High Priority SPODs in this District**

Diversions with Measurement installed: 12 ( 0 installed in 2013, and 0 others confirmed\* in 2013)

Abandoned\*\* Diversions: 3 ( 0 Abandoned currently leased or transferred instream)

Diversions In Progress: 12

Diversions Needing Progress: 5

**WM District 10 [ JR Johnson/Asst. ] 121 High Priority SPODs in this District**

Diversions with Measurement installed: 44 ( 12 installed in 2013, and 0 others confirmed\* in 2013)

Abandoned\*\* Diversions: 17 ( 0 Abandoned currently leased or transferred instream)

Diversions In Progress: 0

Diversions Needing Progress: 60

Measurement Device Status for Phase I & II Sig PODs within High Priority Watersheds  
*Summary Report by Region & District (10/10/2014)*

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**East Region****Summary**

|                                    |                   |   |
|------------------------------------|-------------------|---|
| Total Diversions With Measurement: | 112               | ( <del>13</del> Measuring devices installed in 2013, 5 others confirmed* in 2013) |
| Total Diversions Abandoned**:      | 47                | ( <del>0</del> Total Abandoned currently leased or transferred instream)          |
| Total Diversions In Progress:      | 17                |   |
| Total Diversions Needing Progress: | <u>131</u>        |   |
| <b>Total High Priority SPODs:</b>  | <b><u>307</u></b> |   |

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Measurement Device Status for Phase I & II Sig PODs within High Priority Watersheds  
Summary Report by Region & District (10/10/2014)

North Central Region [ Ladd ]

**WM District 3 [ Robert Wood ] 69 High Priority SPODs in this District**

Diversions with Measurement installed: 36 ( 0 installed in 2013, and 0 others confirmed\* in 2013)  
Abandoned\*\* Diversions: 33 ( 12 Abandoned currently leased or transferred instream)  
Diversions In Progress: 0  
Diversions Needing Progress: 0

**WM District 4 [ Eric Julsrud ] 49 High Priority SPODs in this District**

Diversions with Measurement installed: 46 ( 0 installed in 2013, and 0 others confirmed\* in 2013)  
Abandoned\*\* Diversions: 3 ( 0 Abandoned currently leased or transferred instream)  
Diversions In Progress: 0  
Diversions Needing Progress: 0

**WM District 5 [ Greg Silbernagel ] 65 High Priority SPODs in this District**

Diversions with Measurement installed: 42 ( 0 installed in 2013, and 0 others confirmed\* in 2013)  
Abandoned\*\* Diversions: 22 ( 2 Abandoned currently leased or transferred instream)  
Diversions In Progress: 0  
Diversions Needing Progress: 1

**WM District 21 [ Ken Theimann ] 16 High Priority SPODs in this District**

Diversions with Measurement installed: 2 ( 0 installed in 2013, and 0 others confirmed\* in 2013)  
Abandoned\*\* Diversions: 14 ( 7 Abandoned currently leased or transferred instream)  
Diversions In Progress: 0  
Diversions Needing Progress: 0

Measurement Device Status for Phase I & II Sig PODs within High Priority Watersheds  
*Summary Report by Region & District (10/10/2014)*

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**North Central Region  
Summary**

|                                    |                   |   |
|------------------------------------|-------------------|---|
| Total Diversions With Measurement: | 126               | ( 0 Measuring devices installed in 2013, 0 others confirmed* in 2013) |
| Total Diversions Abandoned**:      | 72                | ( 21 Total Abandoned currently leased or transferred instream)        |
| Total Diversions In Progress:      | 0                 |   |
| Total Diversions Needing Progress: | <u>1</u>          |   |
| <b>Total High Priority SPODs:</b>  | <b><u>199</u></b> |   |

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Measurement Device Status for Phase I & II Sig PODs within High Priority Watersheds  
 Summary Report by Region & District (10/10/2014)

Northwest Region [ Mike McCord ]

**WM District 1 [ Greg Beaman ] 107 High Priority SPODs in this District**

Diversions with Measurement installed: 72 ( 2 installed in 2013, and 4 others confirmed\* in 2013)  
 Abandoned\*\* Diversions: 27 ( 3 Abandoned currently leased or transferred instream)  
 Diversions In Progress: 7  
 Diversions Needing Progress: 1

**WM District 2 [ Mike Mattick ] 41 High Priority SPODs in this District**

Diversions with Measurement installed: 21 ( 3 installed in 2013, and 0 others confirmed\* in 2013)  
 Abandoned\*\* Diversions: 18 ( 0 Abandoned currently leased or transferred instream)  
 Diversions In Progress: 2  
 Diversions Needing Progress: 0

**WM District 16 [ Joel Plahn ] 76 High Priority SPODs in this District**

Diversions with Measurement installed: 41 ( 4 installed in 2013, and 0 others confirmed\* in 2013)  
 Abandoned\*\* Diversions: 30 ( 3 Abandoned currently leased or transferred instream)  
 Diversions In Progress: 5  
 Diversions Needing Progress: 0

**WM District 18 [ Jake Constans ] 21 High Priority SPODs in this District**

Diversions with Measurement installed: 15 ( 0 installed in 2013, and 0 others confirmed\* in 2013)  
 Abandoned\*\* Diversions: 6 ( 0 Abandoned currently leased or transferred instream)  
 Diversions In Progress: 0  
 Diversions Needing Progress: 0

Measurement Device Status for Phase I & II Sig PODs within High Priority Watersheds  
Summary Report by Region & District (10/10/2014)

WM District 20 [ Amy Kim ] 54 High Priority SPODs in this District

Diversions with Measurement installed: 32 ( 0 installed in 2013, and 0 others confirmed\* in 2013)

Abandoned\*\* Diversions: 22 ( 2 Abandoned currently leased or transferred instream)

Diversions In Progress: 0

Diversions Needing Progress: 0

Northwest Region  
Summary

Total Diversions With Measurement: 181 ( 9 Measuring devices installed in 2013, 4 others confirmed\* in 2013)

Total Diversions Abandoned\*\*: 103 ( 8 Total Abandoned currently leased or transferred instream)

Total Diversions In Progress: 14

Total Diversions Needing Progress: 1

**Total High Priority SPODs: 299**

## Measurement Device Status for Phase I &amp; II Sig PODs within High Priority Watersheds

Summary Report by Region &amp; District (10/10/2014)

South Central Region [ Gorman ]

**WM District 11 [ Jeremy Giffin ]**      190 High Priority SPODs in this DistrictDiversions with Measurement installed: 102 ( 10 installed in 2013, and 0 others confirmed\* in 2013)Abandoned\*\* Diversions: 52 ( 4 Abandoned currently leased or transferred instream)

Diversions In Progress: 3

Diversions Needing Progress: 33

**WM District 12 [ Brian Mayer ]**      201 High Priority SPODs in this DistrictDiversions with Measurement installed: 16 ( 0 installed in 2013, and 0 others confirmed\* in 2013)Abandoned\*\* Diversions: 2 ( 0 Abandoned currently leased or transferred instream)

Diversions In Progress: 19

Diversions Needing Progress: 164

**WM District 17 [ Scott White ]**      25 High Priority SPODs in this DistrictDiversions with Measurement installed: 5 ( 1 installed in 2013, and 0 others confirmed\* in 2013)Abandoned\*\* Diversions: 4 ( 0 Abandoned currently leased or transferred instream)

Diversions In Progress: 3

Diversions Needing Progress: 13

**South Central Region  
Summary**Total Diversions With Measurement: 123 ( 11 Measuring devices installed in 2013, 0 others confirmed\* in 2013)Total Diversions Abandoned\*\*: 58 ( 4 Total Abandoned currently leased or transferred instream)

Total Diversions In Progress: 25

Total Diversions Needing Progress: 210

**Total High Priority SPODs: 416**

Measurement Device Status for Phase I & II Sig PODs within High Priority Watersheds  
*Summary Report by Region & District (10/10/2014)*

Southwest Region [ Menteer ]

**WM District 13 [ Travis Kelly ] 283 High Priority SPODs in this District**

Diversions with Measurement installed: 92 ( 22 installed in 2013, and 0 others confirmed\* in 2013)

Abandoned\*\* Diversions: 127 ( 0 Abandoned currently leased or transferred instream)

Diversions In Progress: 2

Diversions Needing Progress: 62

**WM District 14 [ Kathy Smith ] 313 High Priority SPODs in this District**

Diversions with Measurement installed: 82 ( 8 installed in 2013, and 1 others confirmed\* in 2013)

Abandoned\*\* Diversions: 131 ( 3 Abandoned currently leased or transferred instream)

Diversions In Progress: 7

Diversions Needing Progress: 93

**WM District 15 [ David Williams ] 236 High Priority SPODs in this District**

Diversions with Measurement installed: 74 ( 13 installed in 2013, and 0 others confirmed\* in 2013)

Abandoned\*\* Diversions: 50 ( 3 Abandoned currently leased or transferred instream)

Diversions In Progress: 8

Diversions Needing Progress: 104

**WM District 19 [ Mitch Lewis ] 332 High Priority SPODs in this District**

Diversions with Measurement installed: 98 ( 4 installed in 2013, and 22 others confirmed\* in 2013)

Abandoned\*\* Diversions: 66 ( 0 Abandoned currently leased or transferred instream)

Diversions In Progress: 23

Diversions Needing Progress: 145



Measurement Device Status for Phase I & II Sig PODs within High Priority Watersheds  
 Summary Report by Region & District (10/10/2014)

**Southwest Region  
 Summary**

Total Diversions With Measurement: 346 (~~47~~ Measuring devices installed in 2013, ~~23~~ others confirmed\* in 2013)  
 Total Diversions Abandoned\*\*: 374 ( ~~6~~ Total Abandoned currently leased or transferred instream)  
 Total Diversions In Progress: 40  
 Total Diversions Needing Progress: 404  
**Total High Priority SPODs: 1164**

**STATEWIDE Summary**

Total Diversions With Measurement: 888 (~~80~~ Measuring devices installed in 2013, ~~32~~ others confirmed\* in 2013)  
 Total Diversions Abandoned\*\*: 654 (~~39~~ Total Abandoned currently leased or transferred instream)  
 Total Diversions In Progress: 96  
 Total Diversions Needing Progress: 747  
**Total High Priority SPODs: 2385**

~~77~~ Measuring devices were installed in 2010

~~77~~ Measuring devices were installed in 2011

~~51~~ Measuring devices were installed in 2012

~~80~~ Measuring devices were installed in 2013 ( ~~32~~ others confirmed\* in 2013 )

\*Confirmed is defined as a measuring device with an unknown installation date but confirmed to be present.

\*\* (Abandoned) is defined as : Present, but not used, WR has been canceled, the POD no longer exists, there was a POD transfer, the POD was not proved up on, or, it was leased instream.

In 2000, The Water Resources Commission adopted a Water Measurement Strategy, focusing on diversions with the greatest impacts on stream flows, in areas with the greatest needs for fish. 2,385 Significant Diversions, or Sig PODs\*\*\*, have been identified and account for about 50 percent of all water diverted in the state. To implement the Commission's Measurement Strategy, OWRD is working with landowners, installing measurement devices at these significant diversions.

\*\*\* defined as: diversions within priority WAB's and 1. surface water diversions that are required by OWRD to measure and report through a water right condition; or 2. surface water diversions without a measurement condition in the water right that are: a. greater than 5 cfs, or b. greater than 10% of the lowest monthly 50% exceedance flow. and greater than 0.25 cfs

**2013 SURFACE WATER SUMMARY REPORT TOTALS STATEWIDE**

|                                       |        |
|---------------------------------------|--------|
| Streams Regulated                     | 535    |
| Regulatory Actions                    | 17,932 |
| Written Regulatory Actions            | 2,788  |
| Other Than Written Regulatory Actions | 15,144 |
| Watermaster Investigation             | 459    |
| Complaints                            | 299    |

\*\*\*\*\*

**REASONS FOR REGULATORY ACTION**

|  |     |
|--|-----|
| Protect Instream Rights                                      | 315 |
| Protect Senior Out-of-Stream Rights                          | 344 |
| Illegal Use  | 98  |
| Protect Instream Rights & Illegal Use                        | 20  |
| Protect Instream Rights & Senior Out-of-Stream Rights        | 61  |
| Protect Senior Out-of-Stream Rights & Illegal Use            | 23  |
| Protect Senior Out-of-Stream & Instream Rights & Illegal Use | 7   |

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**ACTIONS TAKEN**

|  |     |
|--|-----|
| Diversion Reduced/Shut Off                                   | 287 |
| No Action  | 447 |
| Diversion Reduced/Shut Off & No Action                       | 89  |
| Rotation Established   | 9   |
| Rotation Established & No Action                             | 10  |
| Diversion Reduced/Shut Off & Rotation Established            | 9   |
| Diversion Reduced/Shut Off; No Action & Headgate             | 3   |
| Diversion Reduced/Shut Off & Notice of Violation             | 1   |
| Diversion Reduced/Shut Off ; No Action & Notice of Violation | 1   |
| Headgate Notice & No Action                                  | 1   |

**2013 SURFACE WATER SUMMARY****PERCENT IN COMPLIANCE BY DISTRICT**

| <u>District</u> | <u>Year</u> | <u>Percentage</u> | <u>Year</u> | <u>Percentage</u> | <u>Year</u> | <u>Percentage</u> |
|-----------------|-------------|-------------------|-------------|-------------------|-------------|-------------------|
| 1               | 2011        | 97.3%             | 2012        | 96.1%             | 2013        | 96.0%             |
| 2               | 2011        | 87.9%             | 2012        | 73.4%             | 2013        | 89.9%             |
| 3               | 2011        | 100.0%            | 2012        | 100.0%            | 2013        | 100%              |
| 4               | 2011        | 97.7%             | 2012        | 88.2%             | 2013        | 81.0%             |
| 5               | 2011        | 99.7%             | 2012        | 99.9%             | 2013        | 99.9%             |
| 6               | 2011        | 94.4%             | 2012        | 96.4%             | 2013        | 99.1%             |
| 8               | 2011        | 100.0%            | 2012        | 100.0%            | 2013        | 100%              |
| 9               | 2011        | 93.3%             | 2012        | 96.9%             | 2013        | 100%              |
| 10              | 2011        | 100%              | 2012        | 100.0%            | 2013        | 91.1%             |
| 11              | 2011        | 85.8%             | 2012        | 90.9%             | 2013        | 94.8%             |
| 12              | 2011        | 100.0%            | 2012        | 100.0%            | 2013        | 99.9%             |
| 13              | 2011        | 78.4%             | 2012        | 90.8%             | 2013        | 99.2%             |
| 14              | 2011        | 51.0%             | 2012        | 44.3%             | 2013        | 64.4%             |
| 15              | 2011        | 100%              | 2012        | 100.0%            | 2013        | 99.4%             |
| 16              | 2011        | 97.6%             | 2012        | 95.8%             | 2012        | 96.7%             |
| 17              | 2011        | 88.9%             | 2012        | 89.5%             | 2013        | 98.6%             |
| 18              | 2011        | 100.0%            | 2012        | 100.0%            | 2013        | 100%              |
| 19              | 2011        | 95.2%             | 2012        | 80.0%             | 2013        | 82.9%             |
| 20              | 2011        | 100%              | 2012        | 99.4%             | 2013        | 98.4%             |
| 21              | 2011        | 100%              | 2012        | 100.0%            | 2013        | 78.6%             |

**PERCENT IN COMPLIANCE BY REGION**

| <u>Region</u> | <u>Year</u> | <u>Percentage</u> | <u>Year</u> | <u>Percentage</u> | <u>Year</u> | <u>Percentage</u> |
|---------------|-------------|-------------------|-------------|-------------------|-------------|-------------------|
| North West    | 2011        | 96.9%             | 2012        | 96.0%             | 2013        | 96.7%             |
| South West    | 2011        | 80.1%             | 2012        | 86.4%             | 2013        | 88.4%             |
| South Central | 2011        | 85.95%            | 2012        | 91.2%             | 2013        | 96.6%             |
| North Central | 2011        | 99.7%             | 2012        | 99.4%             | 2013        | 99.3%             |
| East          | 2011        | 99.0%             | 2012        | 99.3%             | 2013        | 99.7%             |

## 2013 WELL CONSTRUCTION AND INSPECTION INFORMATION

### Start Cards Received

|               |             |                          |
|---------------|-------------|--------------------------|
| Water Supply  | 2599        | 14% increase from 2012   |
| Monitoring    | 1374        | 0.65% increase from 2012 |
| <b>Total:</b> | <b>3973</b> |                          |

### Start Cards Received - "New"

|               |             |                        |
|---------------|-------------|------------------------|
| Water Supply  | 1972        | 17% increase from 2012 |
| Monitoring    | 441         | 25% decrease from 2012 |
| <b>Total:</b> | <b>2413</b> |                        |

### Well Reports Received

|               |             |
|---------------|-------------|
| Water Supply  | 2571        |
| Monitoring    | 1330        |
| <b>Total:</b> | <b>3901</b> |

### Well Reports - Type of Work

|                   |             |
|-------------------|-------------|
| New               | 2299        |
| Deepening         | 142         |
| Conversion        | 11          |
| Abandonment       | 1075        |
| Repair/Alteration | 185         |
| Multiple Type     | 85          |
| Other Type        | 104         |
| <b>Total:</b>     | <b>3901</b> |

### Geotechnical Hole Reports Received

|              |      |
|--------------|------|
| Geotechnical | 6227 |
|--------------|------|

### Well Reports Received by Use

|            |      |            |    |               |     |
|------------|------|------------|----|---------------|-----|
| Domestic   | 2034 | Industrial | 28 | Multiple Uses | 40  |
| Monitoring | 1330 | Injection  | 3  | Dewatering    | 45  |
| Irrigation | 210  | Thermal    | 0  | Other Uses    | 123 |
| Community  | 34   | Livestock  | 54 |               |     |

### Well Reports Received - by County

|           |     |           |     |            |     |
|-----------|-----|-----------|-----|------------|-----|
| Baker     | 59  | Harney    | 103 | Morrow     | 70  |
| Benton    | 135 | Hood      | 7   | Multnomah  | 348 |
| Clackamas | 387 | Jackson   | 183 | Polk       | 63  |
| Clatsop   | 39  | Jefferson | 13  | Sherman    | 4   |
| Columbia  | 44  | Josephine | 141 | Tillamook  | 16  |
| Coos      | 85  | Klamath   | 139 | Umatilla   | 108 |
| Crook     | 69  | Lake      | 44  | Union      | 44  |
| Curry     | 40  | Lane      | 305 | Wallowa    | 22  |
| Deschutes | 203 | Lincoln   | 52  | Wasco      | 34  |
| Douglas   | 136 | Linn      | 193 | Washington | 322 |
| Gilliam   | 7   | Malheur   | 93  | Wheeler    | 7   |
| Grant     | 24  | Marion    | 225 | Yamhill    | 137 |

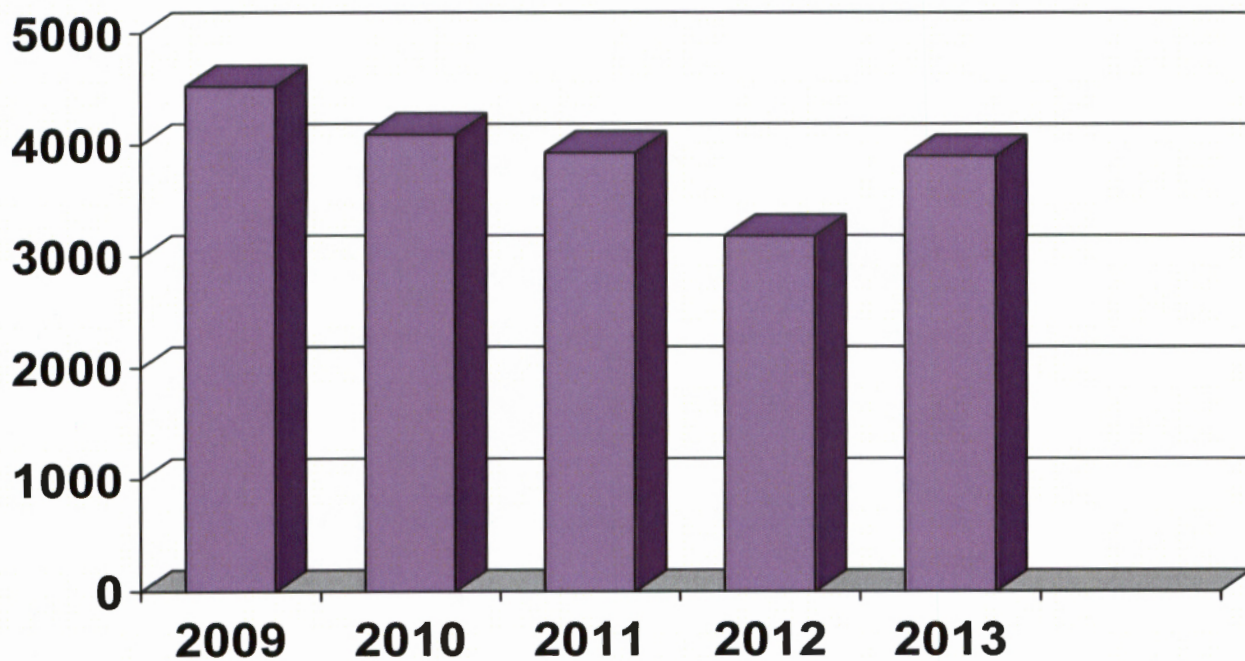
### Well Inspections

|   |      |     |
|---|------|-----|
| Number of Inspections (All Visits)        | 1331 |     |
| Wells Inspected (First Visit)             | 1179 |     |
| "New" Wells Inspected (First Visit)       | 959  |     |
| Water Supply Wells                        | 840  | 42% |
| Monitoring Wells                          | 119  | 27% |
| % of "New" Wells Inspected (Combined)     | 39%  |     |
| "New" Wells With Deficiencies (1st Visit) | 170  | 7%  |

### Inspections (All Visits)

|               |     |
|---------------|-----|
| Eastern       | 384 |
| North Central | 167 |
| Northwest     | 365 |
| South Central | 206 |
| Southwest     | 209 |

**Total Well Reports Received (M & W)**



**All Water All Monitor All Geotechnical**

