

Well Said

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News from the Water Resources Department's Well Construction Program

Water Rights 101

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Well Said
Oregon Water Resources
Department

"Well Said" is a production of the Oregon Water Resources Department's Well Construction Program and is designed to inform the public about program activities and other items of interest.

Questions or suggestions concerning this newsletter can be directed to Rob Carter at (503) 378-8455 x283, or by e-mail: Robert.L.Carter@wrdd.state.or.us.

Water rights and the water right permitting process can be confusing. It is very important, however, that you be able to provide accurate information to prospective customers concerning when a water use is exempt and when a water right is needed.

Oregon statutes declare ground water to be a public resource. With some exceptions, any person intending to use ground water must obtain a permit from the Water Resources Department. State law, however, does exempt certain uses of ground water from the formal water right process. The following uses of ground water do not require a water right permit:

- Single family and group domestic use up to 15,000 gallons per day;
- Stock watering;
- Watering lawn and non-commercial garden totaling 1/2 acre or less in area;
- Down-hole heat exchangers; or,
- Any single industrial or commercial use up to 5,000 gallons per day.

These exempted uses are on a per-property or per-development basis and cannot be increased. For example, a landowner could not use 30,000 gallons per day by constructing a second well. Similarly, a subdivision serviced by a single well cannot collectively exceed the exemptions. Therefore, the subdivision residents cannot water more than 1/2 acre combined.

If a ground water permit is required, the

landowner must first submit an application to the Department. The application provides information about the proposed use. Once received, the Department reviews the application and determines if the use is consistent with rule and law, if water is available for the use, if the well is in hydraulic connection with surface water, and whether or not the use could impact senior water users. This review process takes approximately eight months.

If the proposed use can be approved, many times conditions will be placed on the water right requiring that the well be constructed in a certain way to avoid impact to other users or surface water sources. These conditions will provide a specific depth below land surface that the well must be sealed to, or will indicate a specific depth above (or below) which ground water cannot be utilized.

Since these conditions can go above and beyond the minimum well construction standards, it is recommended that the well be constructed after the water right permit conditions have been provided to the landowner. The well constructor will then know exactly what must be done from the outset.

Questions concerning Oregon's water right system can be answered by contacting the Department's Salem office or your local watermaster. Additional information is also available on-line at the following web address:

<http://www.wrd.state.or.us>

Well Alterations and Water Rights

If you are contracted to alter or replace a well that has an associated water right, please reference the water right application or permit number on the well report. This will help the Department track activities that may impact a water right. Also, please be aware that a ground water right is generally issued for a specific aquifer. Any drilling activity that taps additional aquifers may not only be a well construction problem, but could adversely affect your client's water right.

Staff Changes

A changing of the guard will occur at the end of August. As many of you know, I (Rob Carter) will be leaving the agency on August 27 to pursue a teaching career. I leave after 7 years with the agency, 6 of which as the Well Construction Specialist. I am very excited about this new opportunity, but I will miss working with folks in the well construction community. While we have on occasion disagreed about specific issues, I believe that we have always maintained a positive and productive relationship. I have appreciated the continued assistance I have received from well constructors as we collectively strive to protect the ground water resource. Thanks to all and I hope our paths cross in the future.

You will be, however, left in very capable hands. The Department has hired Mike McCord as the new Well Construction Specialist. Mike holds a bachelor's degree in physical geography from Eastern Washington University. Mike has been with the Department since 1992 when he took a position working out of our John Day office. Since 1992, Mike has worked in Pendleton and, most recently, Salem as part of the Resource Management Division. Throughout his career, Mike has continually demonstrated an ability to develop good relationships with those he works with.

He looks forward to getting out into the field and meeting folks in the well construction community. Mike will begin in the position on August 17. He can be reached at (503) 378-8455 x283 after that date.

In addition, the Department has recently hired two new well inspectors: Kris Byrd as the Northwest Region monitoring well inspector and Mitch Raley as a South Central Region well inspector. Kris previously worked for the Department in several capacities, including Well Licensing and Compliance Officer. Kris replaces Tracy Eichenlaub as the new Monitoring Well Inspector. Mitch previously worked as a licensed well constructor serving the central Oregon area. Mitch will focus on inspecting drilling activity in Klamath and Lake counties.

License Renewal Update

It has now been more than a month since license renewals were due. Of the licenses that were due to be renewed, we still have more than 60 individuals that have yet to renew. Certified notices were sent to those individuals reminding them of the renewal requirement. Please check your license again and make sure you are holding a current license. If you need to renew late, remember that a \$50 late penalty applies. If your license is not renewed for a year or more after expiration, you will be required to retake the license examination and show proof of experience. If you have any questions concerning license renewal, please contact Tracy Eichenlaub at (503) 378-8455 x218.

Location, Location, Location

Not only is the above phrase critical in business success, it is critical when filling out well reports too. A majority of the well reports returned to well constructors are lacking the required location information. A review of what's mandated by ORS 537.765 might be helpful. When submitting a well report you must include the following:

- the township, range and section (1-36)
 - the full tax-lot number
- and either,
- the quarter-quarter section or,
 - the latitude and longitude via a GPS system.

Some monitoring well report forms in circulation are misleading and seem to suggest that the constructor can provide either the street address or the tax-lot number. Please disregard this and provide the information described above. The Department will correct this problem during the next monitoring well report printing.

WRD Watermaster Fax Numbers

Below is an updated listing of WRD Watermaster fax numbers by district:

Dist.	Fax Number
01 Tillamook	503 842-3680
02 Eugene	541 682-7459
03 The Dalles	541 298-2459
04 Canyon City	541 575-2248
05 Pendleton	541 278-0287
06 La Grande	541 963-9637
08 Baker City	541 523-7866
09 Vale	541 473-5522
10 Burns	541 573-8311
11 Bend	541 388-5101
12 Lakeview	541 947-6063
13 Medford	541 776-7189
14 Grants Pass	541 471-2876
15 Roseburg	541 440-6264
16 Salem	503 378-6203
17 Klamath Falls	541 885-3324
18 Hillsboro	503 693-4887
19 Coquille	541 396-6233
20 St. Helens	503 397-7257

Please feel free to circulate this information with others in your organization.