

CERTIFICATE AND ORDER FOR FILING TEMPORARY ADMINISTRATIVE RULES WITH THE SECRETARY OF STATE

SEP 29 1989

I HEREBY CERTIFY that the attached copy is a true, full and correct copy of TEMPORARY rule(s) adopted on September 29, 1989 (Date)

by the Water Resources Department (Department) Field Operations (Division)

to be effective October 3, 1989 (Date) through March 31, 1990 (Date)

The within matter having come before the Water Resources Department (Department) Field Operations (Division) after

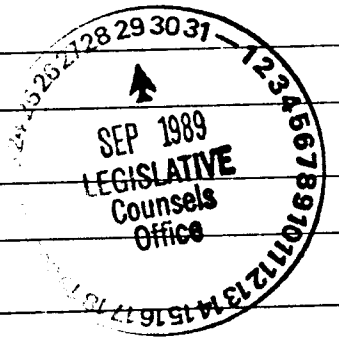
all procedures having been in the required form and conducted in accordance with applicable statutes and rules and being fully advised in the premises:

NOW THEREFORE, IT IS HEREBY ORDERED THAT the following action be taken: (List Rule Number(s) or Rule Title(s) on Appropriate Lines Below)

Adopted: (New Total Rules) 690-11-082 and 690-11-083

Amended: (Existing Rules)

Repealed: (Rules Only)



as Administrative Rules of the Water Resources Department (Department) Field Operations (Division)

DATED this 29th day of September, 19 89

This Order amends TEMPORARY Order No.(s): _____

By: William H. Young (Authorized Signer)

NOTE: The Expiration date of this Order remains the same as the original Order.

Title: Director, Water Resources Department

Statutory Authority: ORS 536.050 (as amended by the 1989 Act) or _____

Chapter(s) _____, Oregon Laws 19 89 or _____

House Bill(s) _____, 19 _____ Legislature; or Senate Bill(s) 148 & 150, 19 89 Legislature

Subject Matter: To establish fee schedules for "Limited License" permits, and for water storage projects for up to 5 acre-feet of water or livestock watering outside of riparian areas.

Emergency Justification Attached:

Do you intend to adopt this rule Permanently? YES NO

If so, have you filed Notice of Proposed Rulemaking for publication in the Oregon Bulletin? YES NO To be filed prior to October 5, 1989.

For Further Information Contact: Steve Applegate

(Rule Coordinator)

Phone: 378-3739

TEMPORARY RULE

Limited License (SB 148, 1989)

690-11-082

(1) A request for a 90-day, limited license for the intended use of surface waters for any purpose described in the 1989 Act (Senate Bill 148) shall be submitted on a form provided by the Water Resources Department, and shall be accompanied by the following:

- a) The fee for examination and recording, \$100; and
- b) A completed water availability statement from the local watermaster on forms provided by the department; and
- c) A site map of reproducible quality, drawn to a standard, even scale of not less than 2 inches= 1 mile, showing:
 - A) The locations of all proposed points of diversion referenced by coordinates or by bearing and distance to the nearest established or projected public land survey corner; and
 - B) The general course of the source for the proposed use; and
 - C) Other topographical features such as roads, streams, railroads, etc., which may be helpful in locating the diversion points in the field.

(2) The Director shall provide notice of the request to the public in the same manner as other water use applications, but may approve the license within 14 days from the receipt of the properly completed form, unless a public interest concern is raised within that period.

(3) If the need for the water use requires additional time beyond the original 90-day period authorized in the license, an extension may be requested in writing to the department, and must be accompanied by a fee of \$25. The extension shall be granted if no public interest issues or claims of harm to existing water rights, including instream rights, have become evident.

(4) The Director may revoke the right to use water for any reason described in the 1989 Act. Such revocation may be prompted by field regulatory activities or by any other reason.

TEMPORARY RULE

Permits for Reservoirs Storing Up To 5 Acre-Feet of Water, or for Livestock Watering Outside of Riparian Areas (SB 150, 1989)

690-11-083

(1) Applications for permits to use water for storage projects of 5 acre-feet or less, or for livestock watering outside of riparian areas, are subject to the following reduced fees:

- a) For examining the application, \$40.
- b) For filing and recording the permit, \$10.

(2) If the intended use of the stored water requires a "secondary" permit as defined by ORS 537.400(2), the secondary application shall be subject to the usual fees as described under ORS 536.050.

(3) Applications submitted under this rule shall in all other respects be subject to the usual requirements for application processing as defined under OAR 690-11-015 through 690-11-080.