



FILED
JUN 29 1988
BARBARA ROBERTS
SECRETARY OF STATE

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

I HEREBY CERTIFY that the attached copy is a true, full and correct copy of PERMANENT rule(s) adopted on June 24, 1988
(Date)

by the Water Resources Commission
(Department)

(Division)

to become effective June 29, 1988
(Date)

The within matter having come before the Water Resources Commission
(Department)

(Division)

after

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

Notice of Intended Action published in Secretary of State's Bulletin: NO YES Date Published: April 15, 1988

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:
(Few Total Rules)

RECEIVED
JUN 29 1988
See attachment
LEG. COUNSEL'S OFF.

Amended:
(Existing Rules)

Repealed:
(Total Rules Only)

Administrative Rules of the Water Resources Commission
(Department)

(Division)

DATED this 29th day of June, 19 88

By: John E. Borden
(Authorized Signer)

Title: Deputy Director

Statutory Authority: ORS _____

Number(s) 183, 536, 537 and 540

Oregon Laws 19 87 or

House Bill(s) _____, 19 _____ Legislature; or

Senate Bill(s) 132

, 19 87 Legislature

Subject Matter:

Amendments to the Well Construction and Maintenance Rules
OAR 690-200-005 through 690-235-020.

Further Information Contact _____

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OREGON ADMINISTRATIVE RULES
for
CONSTRUCTION and MAINTENANCE of WELLS

prescribed by the
WATER RESOURCES DEPARTMENT
adopted by the
WATER RESOURCES COMMISSION
on June 24, 1988

(effective June 29, 1988)

OREGON ADMINISTRATIVE RULES
FOR
WELL CONSTRUCTION AND MAINTENANCE
Water Resources Department
Chapter 690
Administrative Rule
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OREGON ADMINISTRATIVE RULES

CHAPTER 690, DIVISION 205 - WATER RESOURCES DEPARTMENT

DIVISION 205

LICENSING

License Required to Construct Wells

690-205-005 (1) No person shall construct, alter or abandon a well for another, unless the person is a bonded well constructor or is employed, and supervised in accordance with this rule, by a bonded well constructor.

(2) An unbonded well constructor may perform any and all actions associated with construction, alteration, or abandonment of a well for another person when employed by a bonded well constructor.

(3) A person possessing a trainee card and in the employ of a bonded well constructor may operate without direct well site supervision to the extent permitted by OAR 690-205-020.

(4) Property owners holding a landowner's water well construction permit and bond may construct, alter, or abandon wells on their own property in accordance with OAR 690-205-050.

(5) Other persons may operate well drilling equipment or otherwise act to construct, alter or abandon a well only while directly supervised on site by a well constructor.

(6) Any action to construct, alter, or abandon a well not in conformance with this rule is a violation subject to sanctions under OAR 690, Division 225.

Stat. Auth.: ORS Ch. 183, 536, 537 & 540
Hist.: WRD 13-1986, f. 10-7-86, ef. 11-1-86

Well Constructor Licensing

690-205-020 (1) Trainee. A person who passes the water well constructor's examination but does not have sufficient experience to qualify for a license shall be issued a Trainee card:

(a) A trainee may operate a cable tool drilling machine without a well constructor physically present at the well site only if:

(A) The constructor can reach the site within two hours if so requested by an authorized representative of the Department; and

(B) The constructor has signed the rough drilling log within the previous eight working hours.

(b) A constructor must physically be on the site at all times when a cable tool drilling machine is:

(A) Drilling within a flowing artesian well;

(B) Setting or advancing casing;

(C) Setting liner;

(D) Perforating casing;

(E) Setting well screens;

(F) Placing packers;

(G) Constructing casing seals.

(c) A trainee may operate a non-cable tool drilling machine without a well constructor physically present at the well site only during the following events:

(A) Air test or pump test of the well;

(B) Gravel packing operations;

(C) Developing a completed well;

(D) Removal of the drill stem from the well.

(d) And only if:

(A) The constructor can reach the site within one hour if so requested by an authorized representative of the Department; and

(B) The constructor has signed the rough drilling log within the previous eight working hours.

(e) The Watermaster in whose jurisdiction the well is being constructed has the authority to:

(A) Grant an extension to the time limits stated above when a request, showing good cause, is received from the bonded constructor in advance for each particular well.

(B) Place additional restrictions on the trainee, including requiring the constructor to be on the site at all times while the drilling machine is operating, when the Watermaster determines that either the drilling environment or the knowledge and/or experience of the trainee warrant closer supervision.

(f) For a trainee to operate a drilling machine without a licensed well constructor present, the trainee's card must be endorsed with the name of the bonded well constructor responsible for the construction of the well.

(2) Persons who satisfy all requirements of ORS 537.747(3) shall be issued a well constructor's license in the form of a constructor's card:

(a) The experience requirement of ORS 537.747(3) shall be satisfied by at least 52 weeks of active well construction on a minimum of 15 wells, accomplished within one 36-month calendar period. The experience need not have been obtained in Oregon.

(b) The following are acceptable as proof of experience:

(A) Well reports, or rough well logs with applicant's name entered for each of the 15 wells. The name, address and telephone number of the person responsible for the construction of each well shall be included on each report or log.

(B) Income tax returns showing source of drilling income for a period of time, or workman's compensation account information or the equivalent may be established to satisfy the 52 weeks of active construction requirement;

(C) Any other evidence the Director may deem suitable.

(D) A license held in another state shall not substitute for required evidence of experience.

(3) Bonded well constructor. For a person to possess a bonded well constructor's card the person must provide to the Director a properly executed well constructor's bond. The Water Resources Director will endorse the constructor's card with the number of the bond and the name of the bonding company. Such endorsements shall remain effective only while the appropriate bond remains in effect.

(4) Holders of either a trainee card, a well constructor card, or a bonded well constructor card shall carry the card when operating a well drilling machine. All cardholders shall display their cards upon demand by any duly authorized Water Resources Department employee.

(5) Well constructors who have not made arrangements with the Water Resources Department to pay civil penalties which are assessed against them, shall not be issued a license renewal until after arrangements for payment have been agreed to by the Department.

Stat. Auth.: ORS Ch. 183, 536, 537 & 540
Hist.: WRD 3, f. & ef. 2-18-77; WRD 3-1983, f. & ef. 4-28-83; Amended & Renumbered from 690-10-020 by WRD 13-1986, f. 10-7-86, ef. 11-1-86

Contracting For Services

690-205-030 Only bonded well constructors may adver-

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tise services or enter into a contract, either written or verbal, to construct, alter, or abandon a well. Any written bid for a project which includes the construction, alteration or abandonment of a well must provide:

(1) A bid or estimate for the work associated with well construction signed by a bonded well constructor, licensed and bonded in the State of Oregon;

(2) A statement by the general contractor that the work will be completed in accordance with Oregon Ground Water Law (ORS Chapter 537) and the Rules and Regulations for the Construction and Maintenance of Water Wells in Oregon (OAR Chapter 690).

Stat. Auth.: ORS Ch. 183, 536, 537 and 540
Hist.: WRD 13-1986, f. 10-7-86, ef. 11-1-86

Well Constructor's Bond

690-205-040 (1) The well constructor bond required under ORS 537.753 shall run to the State of Oregon and shall be executed by the well constructor, as principal, and by a corporation which is licensed by the State Insurance Commission to transact the business of fidelity and surety insurance, as surety. The bond shall be on a form provided by the Water Resources Department.

(2) Whenever the Water Resources Director issues a final enforcement order for the activities of a bonded well constructor that may place the bond in jeopardy, the Director may mail a copy of the final order to the address of record of the bonding company.

Stat. Auth.: ORS Ch. WRD 3-1983, f. & ef. 4-28-83; Amended & Renumbered from 690-10-024 by WRD 13-1986, f. 10-7-86, ef. 11-1-86

Landowner Water Well Construction Permit and Bond

690-205-050 (1) A landowner's water well construction permit is required for each well to be constructed by a landowner without the services of a bonded well constructor. The Water Resources Director shall issue a permit for each well to be constructed upon receipt of the following:

(a) A complete application for each proposed well. An application shall be considered complete if it contains the name, address and phone number of the landowner; the name and address of the surety company issuing the bond; the location of the proposed well by township, range, section, and county tax lot number;

(b) A properly executed landowner's water well bond for \$2000 to the State of Oregon;

(c) A \$25 fee.

(2) All bonds shall be completed on forms provided by the Department.

(3) Only the owner of record, a member of the immediate family of the owner of record, or a full time employe of the owner of record, (whose main duties are other than the construction of wells), may operate a well drilling machine under a landowner's permit.

Stat. Auth.: ORS Ch. 183, 536, 537 & 540
Hist.: WRD 3-1983, f. & ef. 4-28-83; Amended & Renumbered from 690-10-026 by WRD 13-1986, f. 10-7-86, ef. 11-1-86

Well Drilling Machines

690-205-060 (1) All well drilling machines being operated other than under a landowner's permit shall be plainly marked with the bonded well constructor's license number or

shall have permanently affixed on each side of the vehicle either the name of the bonded constructor or the name of the well drilling business.

(2) In all cases, the license number of the bonded well constructor shall be removed from the drilling machine immediately upon change of ownership or change of control of the drilling machine. Good quality paint or commercial decal numbers shall be used in placing each identification number on the drilling rig. In no case shall the contractor's license number be inscribed with crayon, chalk, marking keel, pencil, or other temporary markings.

Stat. Auth.: ORS Ch. 183, 536, 537 & 540
Hist.: WRD 3, f. & ef. 2-18-77; WRD 3-1983, f. & ef. 4-28-83; Amended & Renumbered from 690-10-030 and 690-60-035 by WRD 13-1986, f. 10-7-86, ef. 11-1-86

Well Construction Notice Required (Start Card)

690-205-070 (1) Each bonded well constructor licensed to operate in the State of Oregon and each landowner holding a landowner's permit shall provide notice as required in ORS 537.762 before commencing the construction, alteration or abandonment of any well. The notice card shall contain the name and post office address of the customer for which work is to be performed, the street address of the well, and the approximate location of the well; and in the case of a new well, the proposed depth, diameter of the well, and the purpose or use of the water. Forms for making these reports will be furnished by the Water Resources Department.

(2) Each notice shall be delivered to the post office or delivered to the Watermaster within whose jurisdiction the well is being constructed, altered or abandoned no later than the day construction, alteration, or abandonment is commenced. The Watermaster may provide an alternate means of notification. If an alternative means of notification is used, the notice card must be mailed or delivered to the Watermaster within one week of beginning work on the well.

Stat. Auth.: ORS Ch. 183, 536, 537 & 540
Hist.: WRD 3, f. & ef. 2-18-77; WRD 3-1983, f. & ef. 4-28-83; Amended & Renumbered from 690-10-035 by WRD 13-1986, f. 10-7-86, ef. 11-1-86

Well Report Required (Well Log)

690-205-080 (1) A well report (well log) shall be prepared for each well constructed, altered or abandoned including unsuccessful wells and wells exempt from appropriation permit requirements under ORS 537.545. The log shall be certified as correct by signature of the well constructor constructing the well. The completed log shall also be certified by the bonded well constructor responsible for construction of the well. A well report must be submitted by each constructor (if more than one) or each bonded constructor (if drilling responsibility is shifted to a different bonded constructor), showing the work performed by each constructor or bonded constructor.

(2) The log shall be prepared in quadruplicate on forms furnished by the Water Resources Department. The original and first copy shall be furnished to the Director, the second copy shall be retained by the well constructor, and the third copy shall be given to the customer who contracted for the construction of the well.

(3) The bonded well constructor shall file the well log with the Director within 30 days after the completion of the construction, abandonment, or alteration.

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(4) The trainee or well constructor operating the well drilling machine shall maintain a rough log of all geologic strata encountered and all materials used in the construction of the well. This log shall be available for inspection by the Watermaster or an authorized agent of the Water Resources Department at any time before the Well Report is received by the Department.

(5) In the event a constructor shall leave any equipment in a well the bonded constructor shall enter this fact on the Well Report.

(6) A copy of any special authorizations or temporary special standards issued by the Director shall be attached to the well report.

Stat. Auth.: ORS Ch. 183, 536, 537 & 540

Hist.: WRD 3, f. & ef. 2-18-77; WRD 3-1983, f. & ef. 4-28-83; Amended & Renumbered from 690-10-040 by WRD 13-1986, f. 10-7-86, ef. 11-1-86