



Oregon

Kate Brown, Governor

Water Resources Department

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MEMORANDUM

TO: Water Resources Commission

FROM: Thomas M. Byler, Director

SUBJECT: Agenda Item C, February 18, 2021
Water Resources Commission Meeting

Director's Report

I. Current Events and Updates

A. Staffing Update

Since the November meeting, the Department has filled two positions. Positions include a Umatilla River Coordinator (AWM/NRS2) and an Administrative Specialist 2. Ken Stahr, the Department's Surface Water Hydrology Section Manager, retired from the Department on December 31 after serving 31 years with the State.

B. Feasibility Study Grants Update

The Department received nine complete Feasibility Study Grant applications by the October 15, 2020 deadline for the 2020-21 funding cycle. The applications requested a total of \$988,127. The Department has slightly more than \$1 million available to award. See attachment 1 for a list of applications and application summaries. Feasibility Study Grants provide funding for qualifying costs of project planning studies that evaluate the feasibility of developing a water conservation, reuse, or storage project. The multi-agency Application Review Team met in the second week of February to evaluate the study proposals and prepare funding recommendations. Those recommendations are now posted for a 30-day public comment period. The Department intends to bring funding recommendations and any public comments received to the Commission for its consideration during the June Commission meeting.

C. Harney Basin Groundwater Update

The Harney Basin Groundwater Study reports will be sent to the US Geological Survey Science Publishing Network following the peer review process, which is nearly complete. The public release date of the final reports was expected by the end of 2020, but the actual release date is still not known. The Department continues to work on a number of Open File Reports that are expected to be published early this year following reviews. Quarterly groundwater level measurements will be made the week of February 22.

The Department continues to process claims of beneficial use, extension requests, and transfers in the basin. Letters requesting claims of beneficial use are being mailed to water right permit holders with permit completion dates more than a year past. For extensions of time, water right permit holders have been cautioned against bringing additional irrigated acres into production beyond what they have developed at their completion date.

Field staff are preparing for surface water distribution and regulation in the basin and expect some challenging conditions, especially if flows are below average. Measuring devices have been installed on a number of high priority surface water diversions to support measurement and distribution. Additional headgate notices are planned and expected in 2021.

The Harney Basin Community-Based Water Planning Collaborative continues to meet monthly, with regular attendance and support by Department staff. The Collaborative expects completion of the groundwater portion of their plan in 2021 and is already making progress on a number of efforts to reduce groundwater use and meet the needs of different water users, including the following:

- The Collaborative decided by consensus to develop a Legislative Concept to provide funding for domestic well users whose water supplies are or have the potential to be affected by groundwater level declines.
- A proposal for a Groundwater Conservation Reserve Enhancement Program (CREP), that would pay irrigators to reduce their water use, is in draft form and is expected to be submitted to the Farm Services Agency in 2021.
- The Department awarded a feasibility grant to The Nature Conservancy to assess the feasibility of using groundwater markets to increase conservation outcomes in the Harney Basin.

Rulemaking is needed in the Harney Basin to provide the Department with regulatory authority to curtail groundwater use in the event that voluntary actions do not achieve reasonably stable groundwater levels. Rulemaking has not yet been scheduled.

D. Umatilla Water Supply Project Update

The Department recently closed out an \$11 million grant with the Port of Morrow to assist with financing water supply projects in the Umatilla Basin. The Port of Morrow partnered with two local districts on two separate projects. These projects sought to address water supply deficiencies for local irrigators. It demonstrates that investments in water supply projects can help Oregon secure its water future while producing various public benefits.

The Port of Morrow and East Improvement District (EID) partnered on the East Project, which used \$7 million of the grant funds to help construct a pump station on the Columbia River and a nine-mile long pipeline that would travel south down into the Stage Gulch Critical Groundwater Area (CGWA). The total project cost was nearly 45 million. The East Project completed construction in the fall of 2020. In the short-term, this project created approximately 80 jobs during construction. Now complete, the pipeline will provide water to fully irrigate up to 20,000 acres, 3,000 of which were previously unirrigated and 17,000 which were under-irrigated.

The project partners estimate that the ability to grow high-value irrigated crops could result in a gross increase in business activity by roughly \$116 million annually. The East Project required upgrades to local power infrastructure. EID contributed \$9.6 million which was matched by \$14.4 million of additional investments by the Umatilla Electric Cooperative. These upgrades mean a more dependable power grid for the region with potential for future expansion to meet growing local electric demands.

The Columbia Irrigation District (CID) Project or West Project used \$4 million in grant funds to construct a new irrigation pipeline parallel to CID's existing pipeline, as well as perform other infrastructure upgrades to the system booster stations and canal. The total cost of the projects was roughly \$31.3 million. The CID Project completed construction and started delivering

Columbia River water in spring of 2020 over the course of construction the project produced 20-60 jobs. The system can deliver water to approximately 60,580 acres, serving roughly 2,000 previously un-irrigated acres and 16,000 under-irrigated acres. As part of this project, CID worked with Morrow County to make improvements to a bridge that allowed both increases in canal capacity and improved bridge safety.

II. Litigation Update

Circuit Court Filings

Klamath Irrigation District v. Oregon Water Resources Department; Marion County Circuit Court, Case No. 20CV17922

On May 14, 2020 Klamath Irrigation District (KID) filed a Complaint for Declaratory and Injunctive Relief in Marion County Circuit Court. The complaint was filed under ORS 183.490 and ORS 540.740. KID is seeking an injunction compelling the Department to carry into effect the Amended and Corrected Order of Determination (ACFFOD) in the Klamath Adjudication by ordering the Bureau of Reclamation (BOR) not to divert stored water through the Link River Dam for instream purposes unless or until it obtains a water right or instream lease authorizing the use of water for such purpose, obtains a stay of the ACFFOD pursuant to ORS 539.180, or obtains a final judgment providing that federal law authorizes the BOR to use stored water in UKL reservoir for instream purposes without securing a water right in accordance with state law and the Reclamation Act.

A hearing was held in Marion County Circuit Court on June 18, 2020. On July 30, 2020, Judge Bennett issued an opinion letter approving the KID's motion for partial summary judgment on the injunction claim under ORS 540.740 and denying the Department's motions on the same claim. A limited judgement was issued October 13, 2020, by the Court. A motion for stay was filed with the Circuit Court by the Department on October 13, 2020 and was denied. A motion for contempt was filed against the Department by KID on October 23, 2020. A hearing on the motion is set for May 3, 2021.

Fern Valley Estates Improvement District v. Water Resources Department, Water Resources Commission, and Oregon Health Authority; Jackson County Circuit Court, Case No. 20CV19061

This case involves water well construction deficiencies for two wells that supply a public water system in Jackson County. Enforcement commenced with a Notice of Violation being issued to Fern Valley Estates Improvement District on May 2, 2020. On May 27, 2020 the District filed a Petition for Judicial Review in Jackson County Circuit Court. The Court issued an order to hold action in abeyance until February 8, 2021 to give the parties an opportunity to resolve the issues. Settlement discussions are on-going.

Duane Martin Ranches, L.P. v. Oregon Water Resources Department; Marion County Circuit Court, Case No. 20CV42240

On September 28, 2020 the Watermaster issued a regulation final order to a landowner in Klamath County to stop irrigating land from a water well that had no water right authorizing such use. On November 25, 2020 a petition for judicial review was filed with Marion County Circuit Court requesting the Court to reverse, set aside and/or remand the final order. A hearing date has not been set.

Duane Martin Ranches, L.P. v. Oregon Water Resources Department; Marion County Circuit Court, Case No. 20CV42241

On September 4, 2020 the Watermaster issued a final order to a landowner in Klamath County requiring the installation of both a headgate and a water-use measuring device on each of two points of diversion from the Sprague River, citing the necessity for water management and compliance with landowner's water rights. On November 25, 2020 a petition for judicial review was filed with Marion County Circuit Court requesting the Court to reverse, set aside and/or remand the final order. A hearing date has not been set.

Klamath Basin Adjudication; Klamath County Circuit Court

This adjudication is the process of determining claims to the use of surface water in the Klamath River Basin. On-going since 1975, the first phase was the review and determination of these claims by the Oregon Water Resources Department, including the hearing of contests to claims and the issuance of proposed orders by administrative law judges from the State's Office of Administrative Hearings. This phase of the process was completed with the Department's issuance of and filing of the Adjudicator's Findings of Fact and Final Order of Determination with Klamath County Circuit Court on March 7, 2013.

The process is now in the second phase. This is the review of the Final Order of Determination by the Courts. Adjudication claimants or contestants who dispute the Department's determination of their claims or contests have an opportunity to file exceptions with the Klamath County Circuit Court (Court). The Court then reviews these exceptions and will ultimately issue a water rights decree affirming or modifying the Final Order of Determination. The Department can issue water right certificates in accordance with the final decree once it is issued by the Court.

Court of Appeals Filings

Brayman, et al. v. Oregon Water Resources Department and Oregon Water Resources Commission, Court of Appeals, Case No. A70316; Hearing Consolidated Cases from Harney County Circuit Court, Case No. 02-06-134-CV and 02-10-298-CV

This longstanding issue, dating back to 2002 in Harney County, concerns management and enforcement of water rights consistent with the Silvies River Decree and the Department's alleged violation of a settlement agreement. On November 4, 2019 the Court of Appeals granted the State a motion for stay of the Harney County Circuit Court decision for the duration of the appeal.

Golden Rule v. Oregon Water Resources Department; Court of Appeals, Case No. A172879 and A172880

On December 13, 2019 a petition for judicial review was filed by a water right holder in Harney County against a Department final order denying an extension of time to complete construction and apply water to beneficial use under a water right permit for lack of diligence. Opening brief was filed December 4, 2020.

Schneider v. Oregon Water Resources Department; Court of Appeals, Case No. A173927

This case involves Mr. Schneider challenging the denial of his application for a license to construct water monitoring wells. He challenges the Department's interpretation of their rules which set forth one of the necessary qualifications for such a license. This appeal, filed April 22, 2020 is the result of contested case order upholding the Department's interpretation of their rules. The Department filed the Respondent's Answering Brief in December 2020.

WaterWatch v. Oregon Water Resources Department, et al; Oregon Court of Appeals, Case No. A169652, S32410 and S37839 (Lower Clackamas River)

WaterWatch appealed a Department order supplementing and clarifying previous orders on municipal water rights, pursuant to a remand from the Court of Appeals. The Department approved municipal permit extensions in 2010, which WaterWatch appealed and the Court remanded the orders to OWRD for clarification. A hearing was held and the order on remand was issued in 2018. WaterWatch appealed. Briefing and arguments are complete, and the Department is waiting on a decision.

Klamath Irrigation District v. Oregon Water Resources Department; Oregon Court of Appeals Case No. A174754

Oregon Water Resources Department filed an appeal of the Marion Circuit Court actions. The Court of Appeals determined there was not an appealable action and dismissed the case January 15, 2021.

East Valley Water District v. Oregon Water Resources Commission, et al; Oregon Court of Appeals Case No. A173292

This appeal, filed with the Court in January 2020, challenges an order of the Oregon Water Resources Commission that denies a reservoir application filed by the water district. Multiple extensions on filing briefs have been requested by the parties, which were approved by the Court, and are now due mid-February 2021.

TPC, LLC., and Hyde v. Oregon Water Resources Department, Oregon Court of Appeals, Case No. A167380

The case originated with regulation orders issued for the protection of senior surface water rights. The regulated water right holders filed Petition for Judicial Review against the orders. Marion County Circuit Court issued an order in support of TPC/Hyde's petitions. On March 21, 2018 the State of Oregon filed a motion with the Court of Appeals for stay of judgment pending appeal on TPC and Hyde Case No. 16CV27427 and 17CV26962. TPC and Hyde filed an appeal on June 5, 2018. On August 17, 2018, the Appellate Commissioner issued an order granting a motion to stay the Trial Court's judgment for the duration of the appeal. Oral arguments were heard on November 6, 2019. On May 19, 2020 the Court dismissed TPC from the case, as requested by TPC. The Case proceeded with Hyde as the lone petitioner. On December 31, 2020 the Court remanded the case back to Marion Circuit Court, directing the Court to dismiss the cases on lack of jurisdiction. On January 27, 2021, remaining petitioner Hyde filed a request for reconsideration with the Appellate Court.

Oregon Supreme Court Filings

WaterWatch v. Oregon Water Resources Department; Oregon Supreme Court, Case No. S067938

This case involves an order in other than a contested case issued by the Department, specifically the renewal of an instream lease of a water right held by Warm Springs Hydro, LLC. WaterWatch asked the Circuit Court to require that the right be converted to an instream water right. A hearing on motions was held on April 11, 2017. The Court issued an order dismissing the case on May 18, 2017. WaterWatch filed a notice of appeal with the Oregon Court of Appeals on June 14, 2017. Oral arguments were held August 30, 2018. A decision affirming the lower Court's ruling in favor of the Department was issued June 10, 2020. WaterWatch filed an appeal with the Oregon Supreme Court. Oral argument is set for April 29, 2021.

Water Resources Department v. Klamath Irrigation District; Oregon Supreme Court, Case No. S068104

This filing on November 10, 2020 by the Department is a Petition for Alternative Writ of Mandamus seeking to vacate the Marion County Circuit Court order requiring the Watermaster to take charge and prevent the Federal Bureau of Reclamation from releasing stored water from Upper Klamath Lake. On February 2, 2021, the Court denied the request.

III. Upcoming Commission/Board Schedules

<u>Commission/Board</u>	<u>Date</u>
Land Conservation and Development Commission	March 18-19
Parks and Recreation Commission	February 24-25
Fish and Wildlife Commission	March 19
State Land Board	April 13
Environmental Quality Commission	March 3
Watershed Enhancement Board	March 10
Board of Agriculture	May 18-19

Attachments:

1. Feasibility Study Grants Application Summaries
2. Rulemaking Calendar



Feasibility Grant Applications

Study Summaries – November 2020



Background

Feasibility Study Grants provide funding for qualifying costs of project planning studies that evaluate the feasibility of developing a water conservation, reuse, or storage project. A feasibility study is an evaluation of a proposed project or plan and can be used to determine *if* and *how* a project should proceed to the implementation phase. This funding opportunity will cover up to 50% of the study cost.

Document Description

The following are study summaries for grant applications received by October 15, 2020 for the current funding cycle. The study summaries are adapted from submitted applications. The application summaries are listed below in alphabetical order.

Next Steps

Feasibility Grant applications are currently being evaluated by the Application Review Team (ART). In 2020, applications and the associated ART recommendations will be posted on the Department's website for a public comment period. The Department will present funding recommendations and the comments received to the Water Resources Commission at spring 2021 meeting. The funding recommendation will be based on the ART recommendations and public comments received. The Commission will then make final funding decisions.

More Information

Additional information about this funding opportunity is available at [the Water Resources Development Program website](#). If you have questions please contact Grant Program Coordinator, Becky Williams, at 503.986.0869 or WRD_DL_feasibilitystudygrants@oregon.gov.

List of Applications Received

Study Name	Project Type	County	Funding Requested	Total Cost of Study ¹
Dry River Canyon Water Conservation Study	Conservation	Deschutes Crook	\$27,760	\$55,520
Fifteenmile Watershed Managed Underground Storage Facilities Feasibility Study Phase II	Below Ground Storage	Wasco	\$185,000	\$370,000
Klamath Irrigation District C-G Drop Hydropower Feasibility Study	Conservation	Klamath	\$80,000	\$160,000
Silverton / Mt. Angel ASR Feasibility Study	Below-ground Storage	Marion	\$15,000	\$30,000
Smith Rock-King Way Water Conservation Feasibility Study	Conservation	Deschutes Crook	\$171,072	\$375,712
Upper Grande Ronde River Watershed Storage Feasibility Study	Above-ground Storage	Union	\$114,000	\$228,000
Upper John Day ASR Feasibility Study	Below-ground Storage	Grant	\$293,895	\$589,645
Upper Klamath Lake Water Storage	Above Ground Storage	Klamath	\$26,400	\$58,600
Walla Walla River Irrigation District Water Conservation Study	Conservation	Umatilla	\$75,000	\$170,000
		Total	\$988,127	\$2,037,477

¹Studies require at least a dollar-for-dollar cost match.

2020 Applications

Dry River Canyon Water Conservation Study	3
Fifteenmile Watershed Managed Underground Storage Study - Phase II	3
Klamath Irrigation District C-G Drop Hydropower Feasibility Study	4
Silverton / Mt. Angel Aquifer Storage and Recovery Feasibility Study	4
Smith Rock-King Way Water Conservation Feasibility Study	5
Upper Grande Ronde River Watershed Storage Feasibility Study	5
Upper John Day Aquifer Storage and Recovery Feasibility Study	6
Upper Klamath Lake Water Storage Study	6
Walla Walla River Irrigation District Water Conservation Study	7

Dry River Canyon Water Conservation Study

Study Information (adapted from application)

Applicant Name: Deschutes River Conservancy and the Central Oregon Irrigation District

County: Deschutes and Crook

Funding Requested: \$27,760

Total Project Cost: \$55,520

Study Summary:

The proposed study seeks to assess primary irrigation water runoff points into Dry River Canyon, a drainage to the Crooked River that runs parallel to Central Oregon Irrigation District's (COID) Central Oregon Canal (COC), to determine the feasibility of reducing water waste through the construction of a re-regulation system, implementation of targeted on-farm efficiency projects, and other strategies as identified through the course of this study. Specifically, the proposed study would review and evaluate existing data to predict primary points of discharge along COID's COC, collect data on these assumptions via a field investigation, and then evaluate the feasibility and efficacy of reducing these discharge points through the implementation of various strategies.

Fifteenmile Watershed Managed Underground Storage Study - Phase II

Study Information (adapted from application)

Applicant Name: Wasco County Soil Water Conservation District

County: Wasco

Funding Requested: \$185,000

Total Project Cost: \$370,000

Study Summary:

Low stream flow is identified as a primary limiting factor in the Fifteenmile watershed and, in portions of the watershed, temperatures exceed thresholds for salmon and trout rearing, migration, and spawning. This specific study would address two key uncertainties for determining the feasibility of a subsurface storage project. The study would include (1) the feasibility of treating target volumes of source water from Fifteenmile Creek for subsurface storage using soil and aquifer treatment system methods, and (2) examining models for governing and operating a subsurface storage system that would ensure long-term sustainability. The results of the study would be used to design a below-ground water storage project that would augment late season stream flows with cool water, and to provide a more stable and ecologically beneficial water supply.

Klamath Irrigation District C-G Drop Hydropower Feasibility Study

Study Information (adapted from application)

Applicant Name: Klamath Irrigation District

County: Klamath

Funding Requested: \$80,000

Total Project Cost: \$160,000

Study Summary:

The goal of the feasibility study is to produce a hydropower structure design for the C-G Drop in Klamath Irrigation District, which is located in Klamath County. This site was identified by the United States Bureau of Reclamation, Irrigation Training Research Center, and Farmers Conservation Alliance as having potential for hydropower development as part of a larger modernization effort. This study proposes to identify and evaluate opportunities to modernize the District's infrastructure. Included in the study are plans to examine and develop high-level engineering designs, cost estimates, projected water savings, and projected hydroelectric power generation and energy conservation potentials for integration with a System Improvement Plan (which includes a Supervisory Control and Data Acquisition component, being examined by Farmers Conservation Alliance in partnership with Energy Trust. The study would determine project feasibility by quantifying the effect of water conservation, operations and maintenance costs, and energy conservation and generation potential.

Silverton / Mt. Angel Aquifer Storage and Recovery Feasibility Study

Study Information (adapted from application)

Applicant Name: City of Silverton

County: Marion

Funding Requested: \$15,000

Total Project Cost: \$30,000

Study Summary:

The City of Silverton proposes to conduct a feasibility analysis framed as an initial effort to potentially locate a regional aquifer recharge and/or aquifer storage and recovery (ASR) site near the Cities of Silverton and Mt. Angel. The project would provide a high-level analysis to identify possible location(s) of a viable aquifer for ASR. The feasibility study would also help to determine compatibility of ASR with the Cities' respective water systems.

Smith Rock-King Way Water Conservation Feasibility Study

Study Information (adapted from application)

Applicant Name: Deschutes River Conservancy and the Central Oregon Irrigation District

County: Deschutes

Funding Requested: \$171,072

Total Project Cost: \$375,712

Study Summary:

Previous results from the Upper Deschutes River Basin Study identified the potential for various on-farm water conservation opportunities. This study would build a toolbox to assist with prioritization and implementation of on-farm water conservation projects in the Smith Rock-King Way Project Area which is currently being piped. The analysis would assist in understanding system-wide interactions between reduced demand on-farm, operational issues in private and district laterals, and potential water savings generated from combinations of actions. The toolbox would provide information about what projects and packages of projects are the most feasible to target with scarce resources in order to provide the greatest water conservation benefit. The feasibility study would add value to the Bureau of Reclamation WaterSmart Water Marketing Strategy Development underway and would prioritize projects for future implementation.

Upper Grande Ronde River Watershed Storage Feasibility Study

Study Information (adapted from application)

Applicant Name: Union County

County: Union

Funding Requested: \$114,000

Total Project Cost: \$228,000

Study Summary:

The Upper Grande Ronde River Watershed (UGRRW) Partnership proposes to conduct a UGRRW-wide assessment of above ground storage options. The feasibility study would include two components; (1) A review of the entire watershed to determine suitable locations for above ground storage of winter runoff, and (2) an evaluation of the in-stream flow needs in the reaches most likely to be impacted by a storage project. The goal of the study would be to identify storage locations and assess site suitability by examining a variety of social, legal, environmental, economic, and technical factors, while simultaneously conducting large-scale In-stream Flow Incremental Methodology/Physical Habitat Simulation System (IFIM/PHABSIM) studies to determine in-stream flow needs for fisheries. The study work would also inform how stored water could best be used to benefit both in-stream and out-of-stream needs as the basin prepares to implement any storage projects identified as a result of this feasibility study.

Upper John Day Aquifer Storage and Recovery Feasibility Study

Study Information (adapted from application)

Applicant Name: Grant Soil and Water Conservation District

County: Grant

Funding Requested: \$293,895

Total Project Cost: \$589,645

Study Summary:

The purpose of this feasibility study is to assess, prioritize, and locate groundwater aquifer storage and recovery projects within the Upper Mainstem John Day River Basin to benefit summer stream flows. The study proposes to undertake the specific application of an Airborne Electromagnetic Method (AEM) survey to create a 3D hydrogeologic framework for the project area to supplement and correlate existing hydrogeologic and borehole data resources to forecast aquifer characteristics, groundwater flow paths, potential recharge areas, and calculate water storage capacity. The AEM findings would be incorporated into a weighted suitability analysis with existing applicable data sets and appraised for localized limiting factors to identify the most desirable groundwater recharge and recovery projects. Landowners of the sites with the best attributes would be contacted and to assess their interest for project reconnaissance and development of conceptual design proposals. Once identified, potential projects would be ranked by feasibility for future action.

Upper Klamath Lake Water Storage Study

Study Information (adapted from application)

Applicant Name: Modoc Irrigation District

County: Klamath

Funding Requested: \$26,400

Total Project Cost: \$58,600

Study Summary:

The proposed study would evaluate the feasibility of building one or more above ground water storage reservoirs to store off-season run-off water from the Upper Klamath Lake Basin in order to augment the irrigation supply for Modoc Point Irrigation District irrigators and provide supplemental water in the case of a call by the primary water right holder. The result of the study would be identification of potential sites and optimum sizes for the reservoir(s) in each potential location, as well as, costs, environmental impacts, regulatory compliance, and funding sources for constructing and implementing these potential reservoir sites. This study proposes to consider how to site and design the reservoir(s) to improve water quality for endangered fish by reducing phosphorus deposition in Klamath Lake, and whether the reservoir(s) can be designed to provide habitat for waterfowl.

Walla Walla River Irrigation District Water Conservation Study

Study Information (adapted from application)

Applicant Name: Farmers Conservation Alliance

County: Umatilla

Funding Requested: \$75,000

Total Project Cost: \$170,000

Study Summary:

The goal of the proposed feasibility study is to produce a System Improvement Plan for Walla Walla River Irrigation District in Umatilla County. The study will identify and evaluate opportunities to modernize the District's infrastructure in a manner that benefits agriculture, the environment, and the community. The result of the study will be an evaluation of improving the District's infrastructure with associated high-level engineering designs, cost estimates, GIS mapping, projected water savings, fish screening and passage evaluations, and projected hydroelectric power generation and energy conservation potential.

Oregon Water Resources Department Current/Anticipated Rulemaking

Rule Division	Topic	Lead Staff	GWAC Input Expected?	Target WRC Date	Status
Division 10 Critical Groundwater Areas	Updates to Rules / Consistency with ORS 537.730–742	Ivan Gall, Justin Iverson	Yes	TBD	Preparing for drafting
Division 54 (New Rule Division)	Hydro conversion to instream	Dwight French, Mary Graine	No	TBD	RAC
Division 77 Instream Water Rights	Updates to Rules / Consistency with SB 199 (2013) / Instream Leases and Transfers of Stored Water	Dwight French, Lisa Jaramillo, Sarah Henderson	No	TBD	Preparing Rule Drafts for RAC
TBD – Klamath Groundwater	Regulation of wells in the Klamath Basin	Ivan Gall	Yes	TBD	Not started
Division 340 (formerly new 87)	Municipal Reclaimed Water Registrations	Dwight French, Kerri Cope	No	2021	On Hold
Divisions 200 205 & 240 - Well Construction Licensing	HB 3030 and SB 688 Implementation	Kris Byrd	Yes	2021	RAC / Redrafting rules
Division 215	Replace erroneously repealed section (690-215-0200 Dedicated Measuring Tube)	Kris Byrd	No	2021	Not started