

OREGON WATER RESOURCES DEPARTMENT

DIVISION 190

EXEMPT GROUNDWATER USE RECORDING REQUIREMENTS

690-190-0005

Purpose and Applicability

(1) These rules describe the requirements under which the Oregon Water Resources Department will administer and enforce the provisions of ORS 537.545. Moneys from fees collected and deposited to the credit of the Water Resources Department Water Right Operating Fund shall be used for the purpose of evaluating groundwater supplies, conducting groundwater studies, carrying out groundwater monitoring, processing groundwater data and the administration and enforcement of ORS 537.545 and these rules.

(2) These rules apply to:

(a) Any landowner of land on which a well is drilled to allow groundwater use for purposes that are exempt under ORS 537.545.

(b) Each new well that is drilled or existing well that is converted to allow groundwater use for purposes that are exempt under ORS 537.545 on or after the effective date of these rules.

Stat. Auth.: ORS 536.027

Stats. Implemented: ORS 537.545

Hist.:

690-190-0010

Definitions

(1) “Converting” a well means changing the use of an existing well or hole not previously used to withdraw water such that the well or hole can be used to seek or withdraw water.

(2) “Department” means the Water Resources Department.

(3) “Director” means the Director of the Water Resources Department.

(4) “Recording ” means the filing of a map locating any well that is drilled to allow groundwater use for purposes that are exempt under ORS 537.545, and the fee for each well drilled in the amount established under ORS 537.545,

(5) “Landowner” means the owner of land at the time a well(s) subject to these rules is completed.

(6) “Well Completion” means the end of construction date reported on the water supply well report.

Stat. Auth.: ORS 536.027

Stats. Implemented: ORS 537.545

Hist.:

690-190-0100

Recording Requirements

The landowner shall submit the following to the Department no later than 30 days after well completion:

(1) A map showing the location of the completed well, that includes:

(a) Tax lot map with map reference number or Department approved electronic mapping program.

(b) Location of the well with distances (north/south or east/west) indicated from an identified property corner or survey corner on the tax lot map. Multiple wells may be shown on one tax lot map.

(c) Location of well(s) in relation to nearest driveway, access road and permanent structures.

(d)The direction of north marked on the map.

(e) Identify each well by Well Identification Number.

(f) Street address of well site if available.

(2) A recording fee in the amount established under ORS 537.545.

(3) A water supply well that is permanently abandoned pursuant to OAR 690-220 within 30 days of completion of the well is not subject to the recording requirements of these rules.

Stat. Auth.: ORS 536.027

Stats. Implemented: ORS 537.545

Hist.:

690-190-0200

Compliance and Enforcement

(1) If the Department determines that a landowner has not met the requirements of these rules, the Department shall notify the landowner of the specific nature of the requirements that have not been met.

(2) Failure to meet the requirements of these rules may result in formal enforcement action(s). These action(s) include:

(a) Establishing a specified time for bringing the landowner into compliance,

(b) Assessment of a civil penalty following procedures outlined in OAR 690-260 rules. Violations under these rules are considered as Class III Minor violations, or

(c) Any other action authorized by law.

Stat. Auth.: ORS 536.027; ORS 536.900

Stats. Implemented: ORS 537.545

Hist.: