

OREGON



WATER RESOURCES  
DEPARTMENT

2023 CWRE Workshop

# 2023 Fall CWRE Workshop

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### 2023 Workshop Locations and Dates

LaGrande	Tuesday, October 3	La Grande Armory
Bend	Wednesday, October 4	McMenamins Old St. Francis School
Roseburg	Friday, October 6	Holiday Inn Express
Salem #1	Wednesday, October 11	Chemeketa Center for Business & Industry
Salem #2	Thursday, October 12	Chemeketa Center for Business & Industry



# INTRODUCTION





## 2023 CWRE Workshop

- Welcome
- Introduction of presenters and participants
- Brief overview of the agenda
- Other important announcements



## 2023 CWRE Workshop

- Workshop Workbook
  - Resource Material
    - Staff Contacts
    - Meter Information
    - Water Use Reporting
    - WRD Map Atlas and Use Codes
    - WRIS Code Key
    - Well ID Program
    - WRD Quick Reference Guide to ORSs and OARs
    - CWRE Contact Information Updating Procedures



# UPDATES







## 2023 CWRE Workshops - Updates

- Rulemaking Calendar (page \_\_\_\_ in appendix)
- Recent Legislative Session Overview (page \_\_\_\_\_)
- Current Processing Timelines:
  - Claims of Beneficial Use \_\_\_\_\_
    - Ave Days for Expedited Processing \_\_\_\_\_
  - Applications for Permits \_\_\_\_\_
    - Groundwater Reviews \_\_\_\_\_
  - Transfers \_\_\_\_\_
    - Groundwater Reviews \_\_\_\_\_
      - Ave Days for Expedited Processing \_\_\_\_\_

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## 2023 CWRE Workshops - Updates

- Legislative Session Highlights
  - **House Bill 3211 – City of Newport Big Creek Dam Transfer of Stored Water –**  
 Authorizes the City of Newport to apply to change the authorized point of diversion and place of use of their municipal storage rights associated with the Big Creek Dam, provided the dams have a high hazard rating, and are unsafe or potentially unsafe. Requires compliance with other applicable state and federal environmental laws. Repealed on January 2, 2026.
  - **House Bill 3164 – Split Season Instream Leasing –** Makes permanent the authority to allow a water right lease for split use of water between the existing water right and in-stream water right within same year. Removes prohibition on leasing water right for split use for more than 10 years. Effective January 1, 2024.

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## 2023 CWRE Workshops - Updates

**Certified Water Right Examiners – HB 3187** - Allows employees who have worked for longer than seven years at an irrigation, drainage, water improvement or water control district with relevant technical experience to be eligible to sit for the CWRE examination. Sunsets July 1, 2027. (See page \_\_\_\_\_ in appendix for copy of final legislation.)

**Package 105 – American Rescue Plan Act Carry Over – \$1.5 million OF** – Carries forward American Rescue Plan Act funding authorized in the 2021-2023 budget in order for those efforts to be completed, including support for fee-based programs and engagement with stakeholders and 8 LD water right staff for 12 months.

**Package 108 – Water Rights and Protest Backlog Reduction – \$500k GF** – Provides one-time funding to pay for Department of Justice and Office of Administrative Hearings costs for continued progress on the protest backlog.

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## Alt Res Processing Update

\*No longer offering a mitigation opportunity to cure fish issues.

**ORS 537.409 (1)** In lieu of the process set forth in ORS 537.140 to 537.211 for applying for a water right permit, an owner of a reservoir may submit an application to the Water Resources Department to issue a water right permit under ORS 537.211 or certificate under ORS 537.250 according to the process set forth in this section if the reservoir:

- (a) Has a storage capacity of less than 9.2 acre-feet or a dam or impoundment structure less than 10 feet in height;
- (b) Does not injure any existing water right;
- (c) Does not pose a significant detrimental impact to existing fishery resources as determined on the basis of information submitted by the State Department of Fish and Wildlife; and
- (d) Is not prohibited under ORS 390.835 (Highest and best use of waters within scenic waterways).

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## Alt Res Processing Update

**ORS 537.409 (6)** ...the department shall conduct a public interest review of the reservoir application. The review shall be limited to issues pertaining to:

(a) Water availability;

**(b) Potential detrimental impact to existing fishery resources; and**

(c) Potential injury to existing water rights.

**(7) Within 180 days after the department receives an application for a permit under subsection (1) of this section, the department shall issue a final order granting or denying the permit or granting the permit with conditions.**

## Oregon Water Resources Department Current/Anticipated Rulemaking

Line	Rule Division	Topic	Lead Staff	GWAC Input Expected?	Target WRC Date	Status
1	<b>Division 10 –Process for Critical Groundwater Area (CGWA) Designation</b>	Conform Rules with ORS 537.730–742 / Establish Framework for CGWA Designations	Ivan Gall, Tim Seymour, Kelly Meinz	Yes	June 2023	RACs and Public Hearings complete, comment period closes 5/22
2	<b>Divisions 200 205 &amp; 240 – Well Construction Licensing (Combined with below)</b>	HB 3030 and SB 688 Implementation Relating to Temporary Authorizations for Armed Forces Spouses	Kris Byrd, Laura Hartt, Travis Kelly	Yes	June 2023	RACs, public hearings and comment period complete
3	<b>Divisions 190 225 &amp; 260 (Combined with above)</b>	Updates to Rules / HB 2145 (2021) Implementation Relating to Exempt Map and Recording Fee / Civil Penalties	Kris Byrd, Laura Hartt, Travis Kelly	No	June 2023	RACs, public hearings and comment period complete
4	<b>Division 215 (Combined with above)</b>	Replace Erroneously Repealed Section Relating to Dedicated Measuring Tubes (690-215-0200)	Kris Byrd, Laura Hartt, Travis Kelly	No	June 2023	RACs, public hearings and comment period complete
5	<b>Division 512 – Malheur Lake Basin Program</b>	Update to Rules Following Publication of Groundwater Study	Ivan Gall, Tim Seymour, Kelly Meinz	Yes	2024	RAC 1 complete, next RAC August 2023
6	<b>Groundwater Allocation</b>	Updates Process and Definitions in Rule for Sustainable Evaluation	Annette Liebe, Justin Iverson, Laura Hartt	Yes	2023-2024	RAC 1-3 completed in April/May 2023

Line	Rule Division	Topic	Lead Staff	GWAC Input Expected?	Target WRC Date	Status
		of New Water Rights, Protective of Senior Right Holders				
7	<b>HB 4061 Cannabis and Enforcement Legislation</b>	HB 4061 (2021) Phase II to Develop Implementation Rules for Civil and Criminal penalties	Ivan Gall, Jake Johnstone, Kelly Meinz	No	2024	Phase II rulemaking starting July 2023, Phase I nearly complete
8	<b>Division 380 – Water Right Transfers</b>	HB 3103 (2021) Rules to Align to Current Statutes	Dwight French, Lisa Jaramillo	No	2023	On hold
9	<b>Division 77 – Instream Water Rights</b>	Updates to Rules / Streamline District Lease Process / Consistency with SB 199 (2013) & SB 206 (2015) / Instream Leases and Transfers of Stored Water	Dwight French, Lisa Jaramillo, Sarah Henderson	No	2023-2024	On hold
10	<b>TBD – Klamath Groundwater</b>	Regulation of Wells in the Klamath Basin	Ivan Gall	Yes	TBD	On hold
11	<b>Division 340 (Formerly New Rule Division 87)</b>	Municipal Reclaimed Water Registrations	Dwight French, Kerri Cope	No	TBD	On hold

\* There are additional rulemakings in backlog that will remain on hold for the remainder of the biennium.

	2021-23 Legislatively Approved (4/22)	2023-25 Current Service Level	2023-25 Governor's Recommended	2023-25 Legislatively Adopted*
<b>General Fund (GF)</b>	\$69,089,805	\$63,159,245	\$64,050,544	\$81,331,377
<b>Other Funds (OF) including Fees</b>	\$39,453,906	\$17,085,059	\$32,925,979	\$34,866,859
<b>Other Funds - Grants/Loans</b>	\$86,142,341	\$73,500,000	\$95,765,276	\$139,200,425
<b>Lottery Funds - Debt Service</b>	\$9,499,510	\$15,073,140	\$15,073,140	\$15,856,857
<b>Federal Funds</b>	\$737,366	\$703,315	\$703,315	\$703,315
<b>Total Funds</b>	\$204,922,928	\$169,520,759	\$208,518,254	\$271,958,833
<b>Positions / Full-Time Equivalent (FTE)</b>	241/216.82	235/229.18	244/236.20	258/246.63

\*Numbers subject to change with further reconciliation.

For additional information please contact:

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\*\*All positions become 1 FTE next biennium unless denoted by two asterisks or identified as limited duration (LD).

#### **OWRD Budget Reductions and Additions**

##### **House Bill 5043**

*Effective on Governor's Signature*

**Package 101 – Facilitate Interagency Work & Implement IWRS – \$271k GF; 1 FTE / 1 position** – Makes a limited duration Program Analyst (PA) 4 IWRS Specialist a permanent position to implement the IWRS, develop updates, and coordinate among state, federal, and local agencies, and educational and non-governmental organizations. *IWRS Actions: 6.B, 9.B, 9.C, and 13.A.*

**Package 105 – American Rescue Plan Act Carry Over – \$15.9 million OF** – Carries forward American Rescue Plan Act funding authorized in the 2021-2023 budget in order for those efforts to be completed, including: place-based planning (\$800k); fish passage (\$500k); Ordnance Project in Umatilla County (\$6m); Well Abandonment, Repair, and Replacement Fund (\$1m); support for fee-based programs and engagement with stakeholders and 8 LD water right staff for 12 months (\$1.5m); engineering services for flood methodology & inundation assessments (\$2.5m); Water Measurement Cost Share fund (\$1m); and surface water and groundwater data collection field equipment (\$2.6m). *IWRS Actions 1.A, 1.B, 5.5B, 7.C, 9.A, 9.B, 10.D, 10.G, 11.A, 11.D, 13.B, 13.C and 13.E*

**Package 106 – Water Planning Funding and Support – \$433k GF; 1.75 FTE / 2 positions** – Provides a Natural Resource Specialist (NRS) 4 Water Supply Solutions Coordinator and a 0.75 FTE NRS 2 Grant coordinator to support place-based integrated water resources planning. *IWRS Actions 5.B, 9.A, 9.B and 13.C*

**Package 108 – Water Rights and Protest Backlog Reduction – \$500k GF** – Provides one-time funding to pay for Department of Justice and Office of Administrative Hearings costs for continued progress on the protest backlog. *[ODFW also received \$100k GF for this work in HB 5506]. IWRS Actions: 10.G and 13.B.*

**OWRD Budget Reductions and Additions****House Bill 5043 continued***Effective on Governor's Signature*

**Package 111 – Water Availability Data Update – \$2.2 million GF; 6.87 FTE / 9 positions** – Provides a dedicated team that will coordinate research, outreach, project management, and technical activities to refine estimates of water availability, incorporate new data and analytical approaches into the modeling effort, and develop computer programs critical for updating the model using these new approaches. Positions include: 0.79 FTE Hydrographer, 0.73 FTE Research Hydrologist position, 0.88 FTE Data Scientist, 0.88 FTE Software Engineer, 0.88 FTE Assistant Surface Water Manager, two 0.79 FTE Assistant Watermasters, 0.88 FTE Program Analyst, and 0.25 FTE Administrative Specialist\*\* to support the human resources and payroll sections. Includes \$225k for U.S. Bureau of Reclamation Agrimet contract costs, \$200k for stream gage maintenance, \$10k one-time funding for Parameter-elevation Regressions on Independent Slopes Model (PRISM) data, and \$18k one-time funding for Google data. *IWRS Actions: 1.B, 5.B, 9.C, and 13.B.*

**Package 114 - Watermaster Staff and Complex Issues – \$456k GF; 1.76 FTE / 2 positions** – Adds a 0.88 FTE Klamath Basin Region Manager to split management workloads in the Field Services Division. Adds a 0.88 FTE NRS 5 Basin Coordinator to work on complex water basin issues and help implement agency priorities in the South Central and Eastern Region. Package includes funding for salaries and other payroll expenses only, not services and supplies. *IWRS Actions: 9.C, 10.F and 13.C.*

**Package 801 – Supporting Resolution of Complex Issues – \$1.5 million GF; 1.00 FTE / 1 Position** – Includes \$1.2 million in facilitation costs for work related to the Confederated Tribes Umatilla Indian Reservation (CTUIR) water rights settlement and other complex issues. Adds NRS 5 Coordinator that will lead the CTUIR settlement work for the Department. *IWRS Actions: 9.B and 9.C.*

**Reduction Package 091 – Analyst Adjustments – \$1.38 million GF; 1.00 FTE / 1 positions** – Reductions include: Evapotranspiration Hydrologist, \$475k GF Evapotranspiration projects, \$250k GF for outreach in developing groundwater budgets, and \$448k GF for observation wells.

**Reduction Package 802 – Position Reductions – \$74k Total Funds (\$4k GF; 70k OF); 3.01 FTE / 6 positions** – Eliminates positions with partial FTEs in the Department's base budget.

**Statewide Adjustments Reductions – \$2.25m Total Fund; (\$352k GF, \$1.8m LF, and \$49k OF)** – Reductions for debt service, Attorney General rates, Department of Administrative Services State Government Service Charges, and Charges for Services.

**House Bill 2010 – OWRD Budget Changes***Effective on Governor's Signature*

**Place-Based Integrated Water Resources Planning – \$2 million GF** – Establishes the place-based integrated water resource planning fund. Provides \$2 million for pre-planning work, community capacity building, place-based planning, and implementation coordination of place-based plans. *IWRS Action: 5.B, 9.A, 9.B and 13.C*

**Voluntary Groundwater Agreements – \$255k GF; 0.5 FTE / 1 limited duration position** – Provides funding for a 0.5 FTE limited duration position or for contracting services to advise, assist and evaluate opportunities for groundwater users in the Greater Harney Valley Groundwater Area of Concern to utilize voluntary agreements. *IWRS Action: 10.D and 13.C*



**OWRD Budget Reductions and Additions****House Bill 2010 – OWRD Budget Changes continued**

**Department Grant and Fiscal Capacity – \$930k; 4.25 FTE / 5 positions** – Makes the limited duration PA 4 Well Fund Coordinator permanent, adds a 0.75 FTE NRS 2 Grant Coordinator, a 0.5 FTE Administrative Specialist 2\*\* to support grant programs, an Accountant, and an Accounting Technician to process and finalize grant agreements and distribute and track funds. *IWRS Action: 5.B, 10.E, and 13.E*

**Water Reuse and Recycled Water – \$100k GF; 0.33 FTE / 1 limited-duration position** – Directs DEQ, in consultation with the Department, to develop recommendations to expand water reuse or recycled water programs or projects and report to the legislature by September 15, 2024. Appropriates \$100k GF for a part-time limited duration position to support this work. Sunsets January 2, 2025. *IWRS Action: 10.C*

**Senate Bill 5506 / House Bill 5030**

*Effective on Governor's Signature*

**Water Projects Grants and Loans – \$60m Lottery Revenue Bonds in Water Supply Development Account** – \$10 million for Water Projects Grants and Loans to evaluate, plan, and develop in-stream and out-of-stream water projects. \$50 million for irrigation modernization projects that leverage federal funding opportunities and involve surface water rights where the project conserves water, with priority given to projects that legally protect a portion of the conserved water instream commensurate with the amount required under the approach described in ORS 537.470. *IWRS Action: 10.A, 10.D, 10.E, and 13.E*

**City of West Linn Waterline Replacement** – \$5 million Lottery Revenue Bonds for grant distribution to the City of West Linn for replacement of a water line crossing the Interstate 205 bridge (Abernathy Bridge). *IWRS Action: 13.E*

**Senate Bill 5506**

*Effective on Governor's Signature*

**Facilitation of Tribal Workgroup** – \$100k GF one-time funding to Portland State University's Oregon Consensus to continue facilitation of the Tribal/State Water Task Force to discuss issues related to water supply, watershed management, water distribution, and tribal water rights. *IWRS Action: 9.C*

**Debt Service and Cost of Issuance** – Increase of \$2,632,567 Lottery Funds expenditure limitation for the Department to pay debt service on Lottery Bonds anticipated to be issued during the 2023-25 biennium. \$700,425 Other Fund for bond issuance costs.

**Direct Appropriations** – \$11.2 million GF (one-time) for the purpose of funding grants to entities for water supply projects. *IWRS Action: 13.E*

- \$2.5 million - City of Beaverton, South Cooper Mountain Non-Potable (Purple Pipe) Project
- \$2 million - North Unit Irrigation District, Infrastructure Modernization Project
- \$1.5 million Deschutes River Conservancy, Conserving Water Through Piping, Monitoring and Measurement
- \$1.53 million - Rogue River Irrigation District, Fourmile Creek Project
- \$1.5 million - City of Monroe Water, Pre-filter and Automated Controls Infrastructure
- \$636k - City of St. Paul, Water Reservoir Improvement Project
- \$225k - City of Bay City, Earthquake Isolation Valves for Water Reservoirs
- \$300k - City of Halsey, New Well
- \$370k - City of Sodaville, Jackson Well Conversion to Municipal Use
- \$592k - City of Falls City, Water Main Line Replacement Project

**Water-Related Legislation and Other Budget Highlights****House Bill 2010 policy and other budget highlights**

*Effective on Governor's Signature*

**Place-Based Planning** – Authorizes two NRS 3 positions to support place-based planning projects at the DEQ and one NRS 4 at ODA to support this work, as well as work associated with the IWRS. *IWRS Action: 5.B, 9.A, 9.B and 13.C*

**Integrated Water Resources Strategy** – Extends requirement to review and update the IWRS from five years to at least 8 years. Requires biennial workplan development for water-related activities. Requires IWRS to describe provisions to promote meaningful engagement with environmental justice communities and to promote partnerships with tribes, state and federal bodies to implement recommended actions. Removes requirement to adopt updates in rule. Effective after the next IWRS is adopted. Provides OWEB 0.25 FTE \*\* to support this work. *IWRS Actions: 6.B, 9.B, 9.C, and 13.A.*

**Expansion of Well Abandonment, Repair and Replacement Fund (WARRF) Program** – Allows WARRF to fund the abandonment, repair, and replacement of household water wells with contaminant levels exceeding drinking water standards. Requires consultation with DEQ and OHA to establish criteria. Allows denial of applications not likely to result in improved water quality. *IWRS Actions: 7.A, 12.A and 12.B*

**Water Project Grants and Loans** – Increases the minimum grant cycle of the Water Projects Grants and Loans opportunity from once a year to twice a year. *IWRS Actions: 5.B, 10.E, and 13.E*

**1998 Stewardship and Supply Initiative** – Directs the Water Resources Department to provide to the Legislature by October 1, 2024: 1) an updated scope as well as estimated cost and timeline for implementing the 1998 Stewardship and Supply Initiative and 2) a proposed approach to sequencing development of river basin assessment reports.

**Chewaucan Basin Planning**– Appropriates \$420k GF for PSU to facilitate work and directs the Department to engage in a collaborative process, led by PSU, in the Chewaucan River watershed that will work to identify broadly supported actions that meet water needs. Sunsets June 30, 2025. *IWRS Action: 13.C*

**Water Use Reporting Authority** – Provides that if the Department requires an entity to measure the use of water diverted, stored, or otherwise appropriated by the entity under a right, the Department may require the entity to report the measured use. *IWRS Action: 2.B*

**Certified Water Right Examiners** – Allows employees who have worked for longer than seven years at an irrigation, drainage, water improvement or water control district with relevant technical experience to be eligible to sit for the CWRE examination. Sunsets July 1, 2027.

**Aquifer Recharge Due Diligence Grant and Forgivable Loan Program** – Appropriates \$3 million GF and authorizes 1 staff person to Business Oregon to establish an aquifer recharge and aquifer storage and recovery due diligence grant and forgivable loan program for aquifer recharge testing for projects located within designated areas with groundwater challenges. Sunsets January 2, 2032. *IWRS Action: 10.B*

**Agricultural Technical Assistance Program** – Appropriates \$3 million GF to OSU to establish and implement an agricultural water management technical assistance program at OSU Extension Service and OSU Agricultural Experiment Station that connects and incentivizes producers to improve on-farm water management practices. Directs program to consult with the Department to contract for satellite-based evapotranspiration data. *IWRS Action: 1.B, 10.A, and 10.D*

## Water-Related Legislation and Other Budget Highlights

### [House Bill 2010 policy and other budget highlights continued...](#)

**Community Drinking Water Enhancement and Protection Fund** – Appropriates \$1 million GF and authorizes 1 staff person to OWEB to establish a grant program that provides grants to water suppliers to protect, restore or enhance sources of drinking water. HB 5030 authorized another \$4 million in Lottery Funds. *IWRS Action: 11.A, 12.A, and 13.E*

**High Desert Partnership** – Appropriates \$1 million GF for High Desert Partnership to design and implement projects on the Silvies River Floodplain, Donner und Blitzen River Floodplain, Malheur Lake, and in the Malheur National Wildlife Refuge that restore or maintain wet meadow, wetland, and lake conditions. *IWRS Action: 11.D and 13.E*

**Small Water System Vulnerabilities** – Appropriates \$1 million GF pass through to Oregon Association of Water Utilities to contract for a study of the needs and vulnerabilities of small and very small community water systems, including but not limited to, water supply reliability, source and treated water quality and standards, utility board and operations management, infrastructure, natural hazards, funding, financial stability and water rates, opportunities for emergency interties, system consolidation and regionalization. Sunsets January 2, 2025. *IWRS Action: 5.5A, 5.5B, 5.5C and 12.A*

**Low Income Rate Payer Research** – Directs the Legislative Policy and Research Office to report to legislature on the federal resources available for low-income individuals to repair and replace private residential drinking water and sewer infrastructure, and opportunities to leverage federal resources by January 15, 2024.

**Western Juniper Removal** – Appropriates \$2.15 million GF to DAS to provide grants to select soil and water conservation districts and counties for treatment of western juniper. Appropriates \$365k for distribution to Oregon State University to support this work. *IWRS Action: 8.C*

### [Senate Bill 5506 other budget highlights](#)

*Effective on Governor's Signature*

**Oregon Business Development Department Direct Appropriations** – One-time Other Funds. *IWRS Action: 7.A, 7.C, 10.A and 13.E*

- \$10 million - Levee Project Grant Fund
- \$5 million - City of Aumsville Wastewater System Improvements
- \$5 million - City of Molalla New Wastewater Treatment Plant
- \$3.8 million - City of Newport Wastewater Treatment & Conveyance System Improvements
- \$2.4 million - City of Estacada New Wastewater Facility project
- \$2.5 million - Port of Morrow, South Morrow County Water and Transportation Infrastructure Development
- \$2.2 million - City of Waldport Industrial Park Sewer expansion
- \$306k - City of Lowell Water Treatment Plant Upgrades
- \$984k - Illinois Valley Fire District Extension of Water & Sewer Lines
- \$750k - City of Port Orford Water Recycling project
- \$1.3 million - Tillamook County Shilo Levee Rehabilitation

**Department of Administrative Services Direct Appropriations** – One-time Lottery Funds. *IWRS Action: 13.E*

- \$1.2 million for Mid-Columbia Water Commission to implement the Morrow and Umatilla Drought Relief Aquifer Recharge and Aquifer Storage and Recovery Project
- \$1.6 million for Oregon Association of Water Utilities to build the Water System Training Center.
- \$1.5 million for High Desert Partnership for infrastructures to deliver water in Harney County.
- \$2.25 million for Baker County for infrastructure improvement projects (water, sewer, road, broadband)

**Water-Related Legislation and Other Budget Highlights****[Senate Bill 5506 other budget highlights continued](#)**

**Water Justice Funding** – \$500k GF (one-time) appropriation for the University of Oregon Just Future Institute for work related to equitable water access, including conducting research to understand and address water needs of environmental justice communities and providing grants to community-based organizations, tribes, and other entities to build capacity to engage in water related work and projects that help to understand and address water needs of environmental justice communities. *IWRS Action: 13.C*

**Fish Passage Fund** - \$8.75m OF to ODFW for fish passage projects. *IWRS Action: 11.D*

**Water and Mineral Mapping** – \$418k to the Oregon Department of Geology and Mineral Industries to support staff to expand the Oregon Mapping Program to include sampling for water and mineral resources. *IWRS Action: 1.B and 1.C*

**Statewide Water Conference** – \$100k GF (one-time) appropriation for the Higher Education Coordinating Commission to distribute to the Oregon State University Institute of Natural Resources to convene a statewide water conference to facilitate learning and relationship-building between sectors, identify research needs, and develop statewide research and learning agenda. *IWRS Action: 8.D*

**Water Related Legislation**

**[Senate Bill 85](#) – **Confined Animal Feeding Operations** – Authorizes ODA to issue nutrient application permits and requires persons that apply for water quality permits for certain confined animal feeding operations to submit water supply plans to the Water Resources Department. Caps the stockwatering exemption for groundwater at 12,000 gallons/day for new operations and expanding operations located in Critical Groundwater Areas, which sunsets on September 15, 2027. Effective on Governor’s Signature. *IWRS Action: 10.G, and 11.E***

**[Senate Bill 326](#) – **Cannabis Penalties** – Prohibits use of water at location not licensed or registered for growing cannabis. Allows the Water Resources Commission to impose civil penalties for violations. Increases criminal penalties to a maximum of 364 days' imprisonment, \$6,250 fine, or both. Effective on Governor’s Signature.**

**[Senate Bill 718](#) – **Drought and Forfeiture** – Provides that a year in which the Governor declares drought within a county under ORS 536.740 does not count toward period of time for forfeiture of water right for nonuse within that county provided certain conditions are met. Does not change transfer considerations. Effective January 1, 2024.**

**[Senate Bill 954](#) – **Search Warrants** – Establishes a non-exclusive list, including state regulatory agencies, who may accompany an officer on execution of a search warrant as may be necessary for the successful execution of the warrant. Effective on Governor’s Signature.**

**[House Bill 2929](#) – **Injunctive Relief** – Provides the Department the authority to seek an injunction requiring a person using water illegally to refrain from the activity and take any actions necessary to remedy the violation or any threat to water supplies, public health or public safety resulting from the violation. This authority is repealed Jan. 2, 2030, and the Department is to report to the legislature by September 15, 2028, on the frequency of the Department’s pursuit of injunctions and the outcomes of applying for injunctions. Effective January 1, 2024.**

**[House Bill 2971](#) – **Instream Leasing and Property Tax Special Assessment** – Adds instream water leasing as a reason that farmland is not disqualified from the property tax special assessment for tax years beginning on or after July 1, 2024. Effective 91st day following sine die.**

**Water Related Legislation**

**[House Bill 3097](#) – In-conduit Hydro** – Provides that a municipal corporation or people's utility district may apply for certificate to use water for hydroelectric purposes within an artificial delivery system that is delivering water for municipal uses even if municipal corporation or people's utility district is not holder of underlying municipal water right, with permission of holder of underlying municipal water right. Effective January 1, 2024. *IWRS Action: 5.B*

**[House Bill 3164](#) – Split Season Instream Leasing** – Makes permanent the authority to allow a water right lease for split use of water between the existing water right and in-stream water right within same year. Removes prohibition on leasing water right for split use for more than 10 years. Effective January 1, 2024. *IWRS Action: 10.D and 11. B*

**[House Bill 3211](#) – City of Newport Big Creek Dam Transfer of Stored Water** – Authorizes the City of Newport to apply to change the authorized point of diversion and place of use of their municipal storage rights associated with the Big Creek Dam, provided the dams have a high hazard rating, and are unsafe or potentially unsafe. Requires compliance with other applicable state and federal environmental laws. Repealed on January 2, 2026. Effective on Governor signature.

**[House Bill 3343](#) – Welding Requirements for Well Construction Licensing** – Provides the Department authority to determine which types of wells require welding experience when establishing well constructor licensing requirements. Effective on Governor signature.

**[House Bill 3409](#)**

*Effective on Governor signature*

**State Agency Energy Use** – Directs DAS to develop a methodology and work plan for state agencies to implement a comprehensive assessment of energy use and greenhouse gas emissions of state-owned buildings.

**Harmful Algal Blooms** – Appropriates \$120k GF and two staff at DEQ and one staff at OHA to identify water sources susceptible to harmful algal blooms, monitor and test susceptible waters and develop protocol for advisory alerts. DEQ to develop a response strategy for harmful algal blooms, produce and maintain relevant data, identify sources of pollutants, develop strategies to reduce pollutants, and determine causes of harmful algal blooms. *IWRS Action: 1.B, 10.G, 12.A, and 12.B*

**Community Green Infrastructure Grant Program** – Appropriates \$6.5 million GF and four staff at DLCD to establish the Community Green Infrastructure Grant Program for the purpose of awarding grants to offset the cost of planning and developing community green infrastructure projects or green infrastructure economic development projects, developing and supporting native seed banks or native plant nurseries, and for implementing green infrastructure master plans. Authorizes two staff at ODF to support this work. *IWRS Action: 6.C and 13.E*

**Natural and Working Lands Fund** – Appropriates \$10 million GF and establishes the Natural and Working Lands Fund at OWEB to annually transfer funds, as directed by the Global Warming Commission, to the Agriculture Natural Climate Solutions Fund, Forestry Natural Climate Solutions Fund, Watershed Natural Climate Solutions Fund, and Fish and Wildlife Natural Climate Solutions Fund established at ODA, ODF, OWEB, and ODFW respectively. Authorizes two staff at Oregon Department of Energy to support this work. *IWRS Action: 5.B, 6.C, and 13.C*

82nd OREGON LEGISLATIVE ASSEMBLY--2023 Regular Session

## Enrolled House Bill 3187

Sponsored by Representatives OWENS, HELM; Representative HIEB (at the request of Oregon Water Resources Congress)

CHAPTER .....

AN ACT

Relating to water right examiners; creating new provisions; and amending ORS 537.797 and 537.798.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** ORS 537.797 is amended to read:

537.797. (1) **As used in this section:**

(a) **“District” means:**

(A) **An irrigation district formed under ORS chapter 545;**

(B) **A drainage district formed under ORS chapter 547;**

(C) **A water improvement district formed under ORS chapter 552; or**

(D) **A water control district formed under ORS chapter 553.**

(b) **“Registered geologist” has the meaning given that term in ORS 672.505.**

(c) **“Registered professional engineer” and “registered professional land surveyor” have the meanings given those terms in ORS 672.002.**

(2) The Water Resources Commission by rule shall establish criteria for *[the]* certification *[of registered, professional land surveyors and engineers and geologists practicing as defined in ORS 672.005 and 672.505, respectively,]* **under ORS 537.798** to conduct surveys to determine whether a permittee has completed all work necessary to perfect an appropriation of water under ORS 537.230, 537.630 and 540.530.

(3) **An individual may apply for certification under ORS 537.798 if the individual meets the criteria established by rule by the commission and is a:**

(a) **Registered professional engineer;**

(b) **Registered professional land surveyor;**

(c) **Registered geologist; or**

(d) **District employee who:**

(A) **Is, at the time of applying, employed full-time by a district;**

(B) **Has been employed by a district for seven or more years; and**

(C) **Has seven or more years of relevant technical experience conducting similar work.**

**SECTION 2.** ORS 537.798 is amended to read:

537.798. (1) The State Board of Examiners for Engineering and Land Surveying may issue a water right examiner certificate to *[a registered professional land surveyor, registered professional engineer or registered geologist who meets the criteria established by the Water Resources Commission under]* **an applicant described in ORS 537.797.** The board shall require an applicant for the certificate to pass an examination establishing the qualification of the applicant to be a water right examiner. The Water Resources Department shall prepare, administer and score the examination.

(2) The board shall establish fees for the examination, certification and renewal of certification of water right examiners. The fees shall be based upon the expenses of the board and the department in conducting the certification program. The board shall reimburse the department for department expenses related to the preparation, administration and scoring of the examination.

(3) The board may adopt rules to regulate persons certified as water right examiners. The rules may include, but need not be limited to, rules establishing standards of professional conduct and rules establishing professional development or continuing education requirements.

(4) Upon receipt of a complaint, or upon its own initiative, the board may investigate any alleged or suspected violation by a water right examiner of ORS 672.002 to 672.325, the criteria established under ORS 537.797, **Water Resources** Commission rules or a board rule adopted under this section or ORS 672.255. If the board finds that a violation has occurred, in addition to any other disciplinary or regulatory authority of the board, the board may suspend, revoke or modify a certificate issued under this section. Board action to suspend, revoke or modify the certificate is subject to the provisions of ORS chapter 183 relating to contested cases.

**SECTION 3.** ORS 537.797, as amended by section 1 of this 2023 Act, is amended to read:

537.797. [(1) *As used in this section:*]

[(a) *“District” means:*]

[(A) *An irrigation district formed under ORS chapter 545;*]

[(B) *A drainage district formed under ORS chapter 547;*]

[(C) *A water improvement district formed under ORS chapter 552; or*]

[(D) *A water control district formed under ORS chapter 553.*]

[(b) *“Registered geologist” has the meaning given that term in ORS 672.505.*]

[(c) *“Registered professional engineer” and “registered professional land surveyor” have the meanings given those terms in ORS 672.002.*]

[(2)] The Water Resources Commission by rule shall establish criteria for **the certification [under ORS 537.798] of geologists, as defined in ORS 672.505, and persons engaged in the practice of engineering and the practice of land surveying, as those terms are defined in ORS 672.005,** to conduct surveys to determine whether a permittee has completed all work necessary to perfect an appropriation of water under ORS 537.230, 537.630 and 540.530.

[(3) *An individual may apply for certification under ORS 537.798 if the individual meets the criteria established by rule by the commission and is a:*]

[(a) *Registered professional engineer;*]

[(b) *Registered professional land surveyor;*]

[(c) *Registered geologist; or*]

[(d) *District employee who:*]

[(A) *Is, at the time of applying, employed full-time by a district;*]

[(B) *Has been employed by a district for seven or more years; and*]

[(C) *Has seven or more years of relevant technical experience conducting similar work.*]

**SECTION 4.** ORS 537.798, as amended by section 2 of this 2023 Act, is amended to read:

537.798. (1) The State Board of Examiners for Engineering and Land Surveying may issue a water right examiner certificate to [*an applicant described in*] **a registered professional land surveyor, registered professional engineer or registered geologist who meets the criteria established by the Water Resources Commission under ORS 537.797.** The board shall require an applicant for the certificate to pass an examination establishing the qualification of the applicant to be a water right examiner. The Water Resources Department shall prepare, administer and score the examination.

(2) The board shall establish fees for the examination, certification and renewal of certification of water right examiners. The fees shall be based upon the expenses of the board and the department in conducting the certification program. The board shall reimburse the department for department expenses related to the preparation, administration and scoring of the examination.

(3) The board may adopt rules to regulate persons certified as water right examiners. The rules may include, but need not be limited to, rules establishing standards of professional conduct and rules establishing professional development or continuing education requirements.

(4) Upon receipt of a complaint, or upon its own initiative, the board may investigate any alleged or suspected violation by a water right examiner of ORS 672.002 to 672.325, the criteria established under ORS 537.797, [*Water Resources*] commission rules or a board rule adopted under this section or ORS 672.255. If the board finds that a violation has occurred, in addition to any other disciplinary or regulatory authority of the board, the board may suspend, revoke or modify a certificate issued under this section. Board action to suspend, revoke or modify the certificate is subject to the provisions of ORS chapter 183 relating to contested cases.

**SECTION 5. The amendments to ORS 537.797 and 537.798 by sections 3 and 4 of this 2023 Act become operative on July 1, 2027.**

Passed by House March 27, 2023

Received by Governor:

Repassed by House June 23, 2023

.....M.,....., 2023

Approved:

.....  
Timothy G. Sekerak, Chief Clerk of House

.....M.,....., 2023

.....  
Dan Rayfield, Speaker of House

.....  
Tina Kotek, Governor

Passed by Senate June 22, 2023

Filed in Office of Secretary of State:

.....M.,....., 2023

.....  
Rob Wagner, President of Senate

.....  
Secretary of State





# CLAIMS OF BENEFICIAL USE



## 2023 CWRE Workshops



# Claims of Beneficial Use Permits and Transfers

October 2023

1

1



## Presentation Topics

### •Permits

- What is Beneficial Use under a Permit?
- The Claim Form
- The Claim Map

### •Transfers

- What is Beneficial Use under a Transfer?
- The Claim Form
- The Claim Map

2



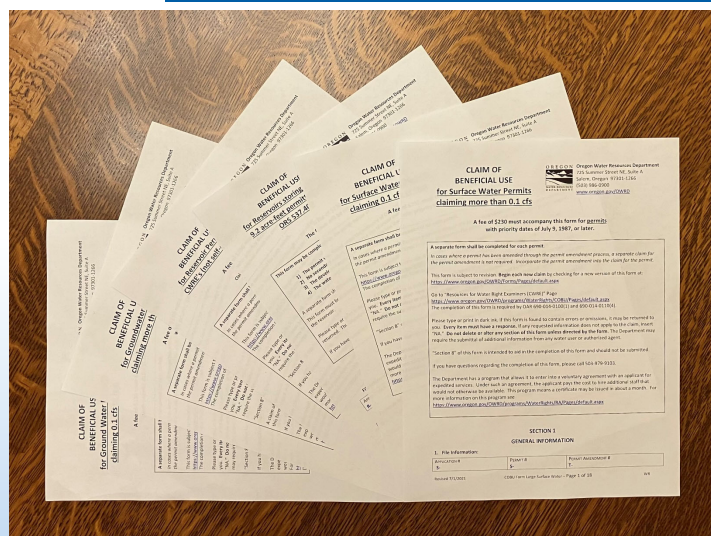
# Water Resources Lingo & Abbreviations

- Claim, CBU, COBU - Claim of Beneficial Use
- “C” Date – Complete application of water date in a permit or as extended through a permit extension of time
- ODFW – Oregon Department of Fish and Wildlife
- POA – Point of Appropriation (typically a well)
- POD – Point of Diversion
- POU – Place of Use
- WRD – Water Resources Department
- WRIS – Water Right Information System

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# Permit Claims of Beneficial Use



4



## Claim of Beneficial Use

- What is a Claim of Beneficial Use (Claim, CBU, or COBU) for a Permit? It is both:
  - A **report** that describes the extent of water use developed under a permit and timely compliance with conditions; and
  - A **map** that identifies the developed location of the use, point(s) of diversion or appropriation, delivery system, as well as any measuring devices and fish protection devices required by the permit.

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## Beneficial Use under a Permit

### What is Beneficial Use Under a Permit?

- Beneficial use under a permit is the timely use of water, for the allowed use(s), while timely complying with the conditions of the permit.
  - “Timely”, as used here, describes the period of time between the permit issuance and the authorized “C” Date.
  - Timely Use + Timely Compliance = Beneficial Use
  - Use – Compliance ≠ Beneficial Use
- \*\*Important:** Most conditions are time sensitive.

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## Permit Claim Forms

- Access Claim forms either from our home page, or through the CWRE Resource Page.
- Multiple Claim forms (6) have been developed. The forms are broken out by permit type (surface water, groundwater, and reservoir) and further by the rate being claimed for surface water and groundwater, and CWRE required or permit holder self certification for reservoirs.
- Always download the most current version of the Claim form when beginning a new project.

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## Permit Claims – Use of Stored Water

- Which surface water Claim do I use if the source is exclusively stored water?
  - Look at the developed instantaneous rate of diversion/re-diversion for the permit.
  - If the rate is equal to, or less than, 0.1 cfs, use the form “Claim Of Beneficial Use for Surface Water Permits (claiming 0.1 cfs or less).”
  - If the rate is greater than, 0.1 cfs, use the form “Claim Of Beneficial Use for Surface Water Permits (claiming more than 0.1 cfs).”

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## ORS 537.409 Reservoir Claims

Are there cases where a CWRE can use the Claim form “Reservoirs storing less than 9.2 acre-feet permitted under ORS 537.409 ? YES

- If a CWRE is contacted by a permit holder with a reservoir permit that was processed under ORS 537.409 (AKA - HB 2376 or the Alternative Reservoir Process), for which the water user qualifies to prepare their own Claim, the CWRE can use the abbreviated Claim form. Important – The permit and reservoir must qualify.

What is a qualifying reservoir?

- 1) The permit was issued under the authority of ORS 537.409; and
- 2) No secondary permit exists for the use of water stored in the reservoir; and
- 3) The developed capacity of the reservoir is less than 9.2 acre-feet; and
- 4) The water was stored by the date required in the permit.

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## Purpose of the Claim for a Permit

To describe the extent of beneficial use developed under the Permit

- Describe the uses developed;
- Describe the rate developed for each use;
- Describe where water was used; and
- Describe how conditions were satisfied.

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## Beneficial Use Under a Permit

- A few additional comments about Beneficial Use under a permit:
- Beneficial Use is based on the actual use of water made, not on the ability of the permit holder to make beneficial use. In other words, use must be made. It is important that the Claim describe the maximum use made. This means:
  - The Claim must provide enough information to run calculations for the system including pumps, ditches, sprinklers, drip tape, drip emitters, etc.
  - The Claim should describe the maximum rate of use (maximum rate appropriated for the use if not irrigation, and for irrigation, the maximum sprinkler setting).
- If the permit holders does not make beneficial use of the full rate, acres or uses, the confirming certificate will be reduced to reflect the extent of the beneficial use made. The remaining rate, acres and uses are lost. Two Exceptions:
  - Exception 1 – Supplemental Uses - The standard for supplemental use is “ready, willing and able”.
  - Exception 2 – Municipal Partial or Incremental Perfection

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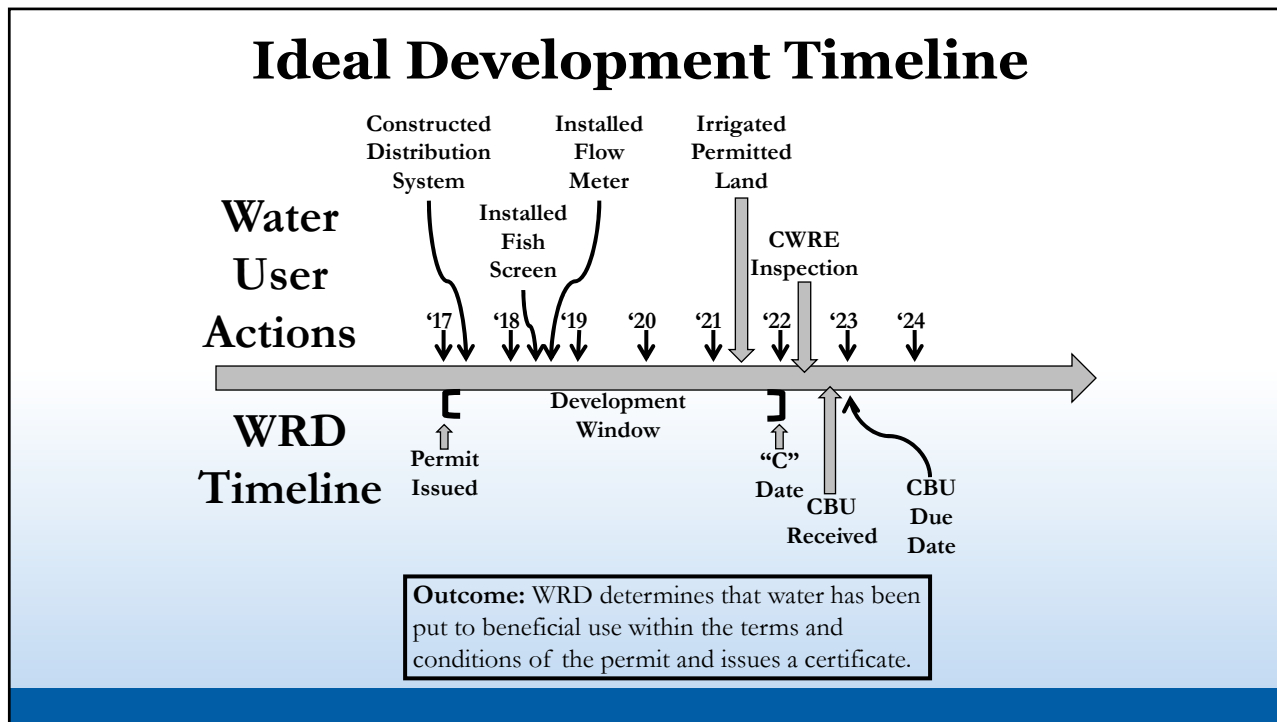
## Claim VS Extension of Time

Important question to ask when beginning a project:

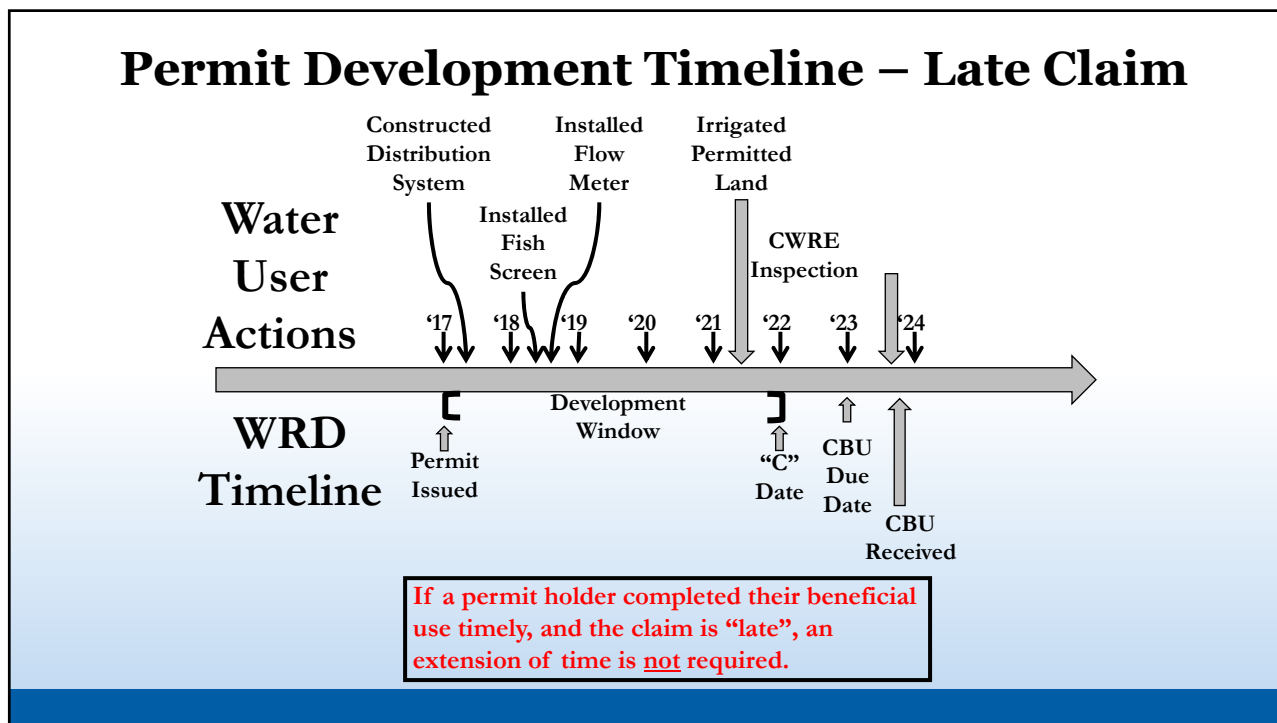
*Should a Claim be submitted or is an Extension of Time needed?*

- Has the water user made beneficial use under a permit?
- How do you decide if beneficial use has been made?
  - Review the permit, permit extension of time order, and records available from the water user and WRIS.

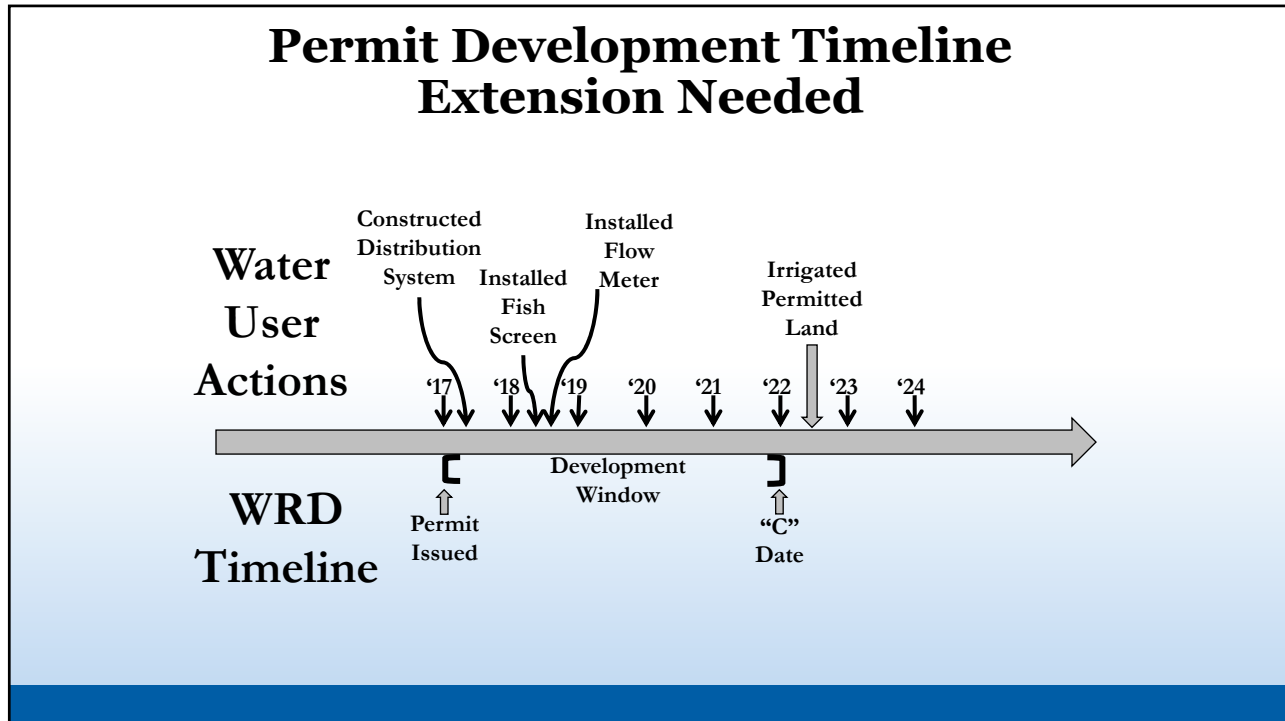
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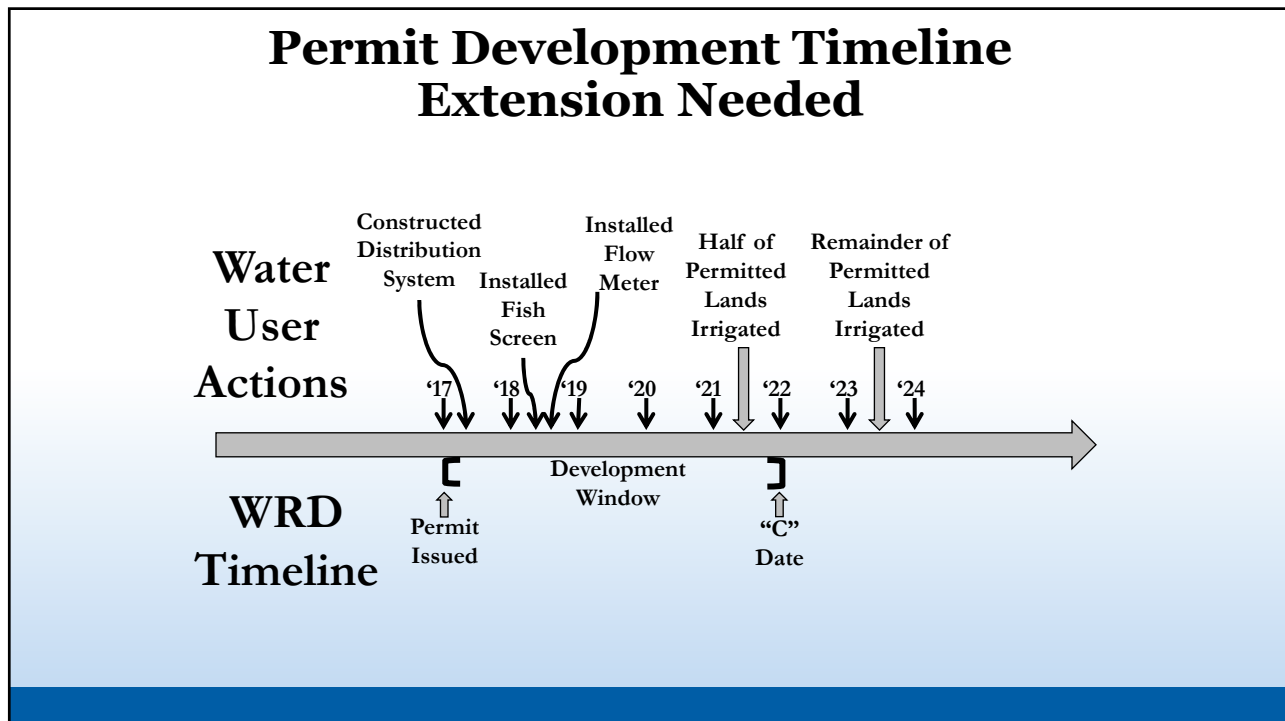
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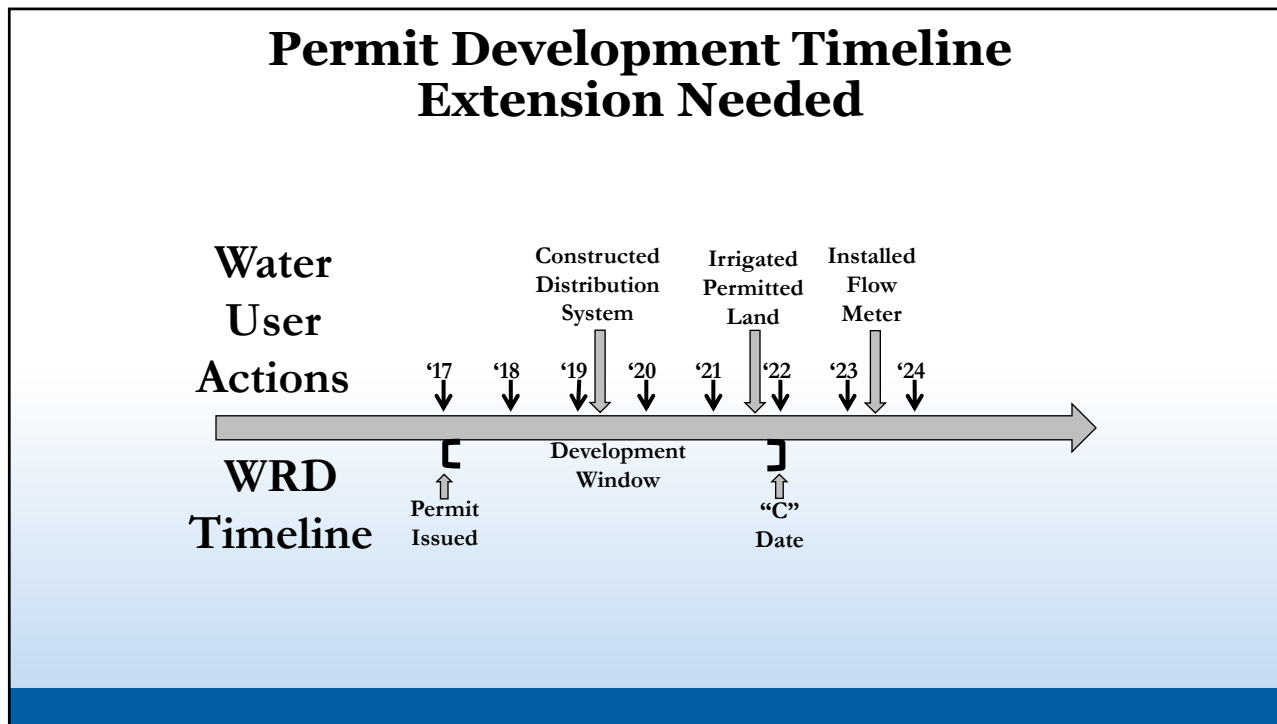
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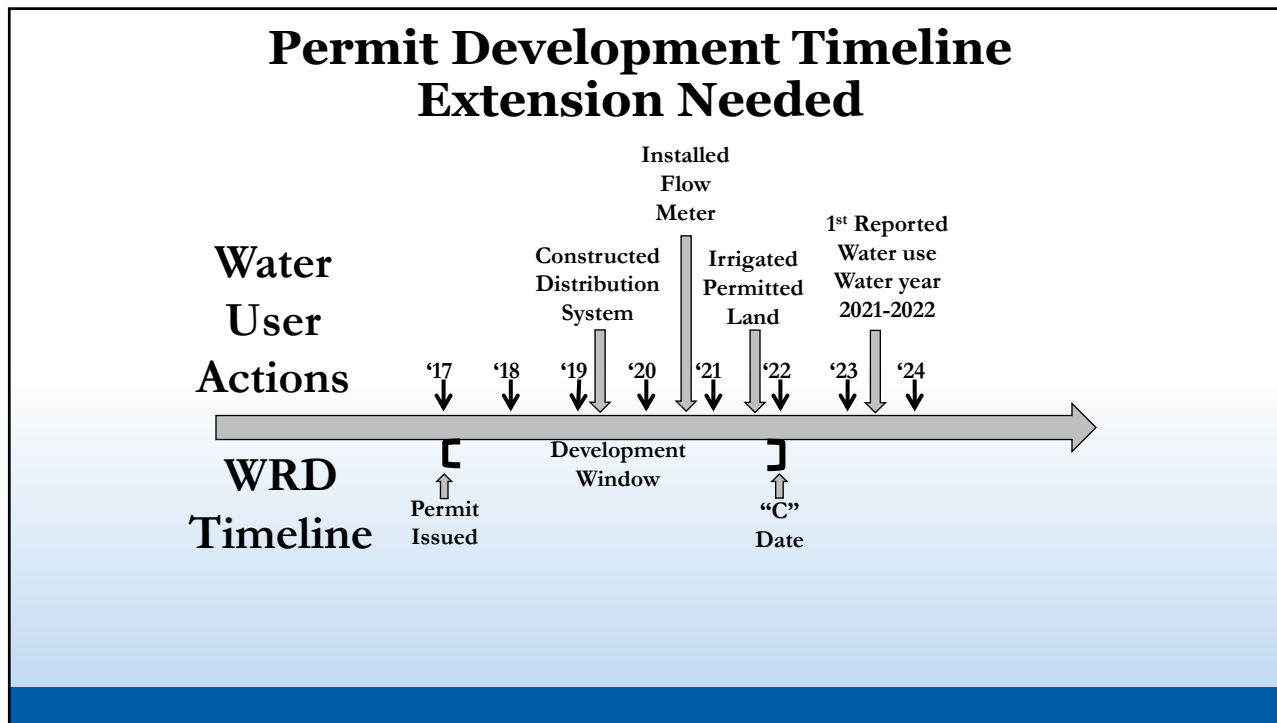
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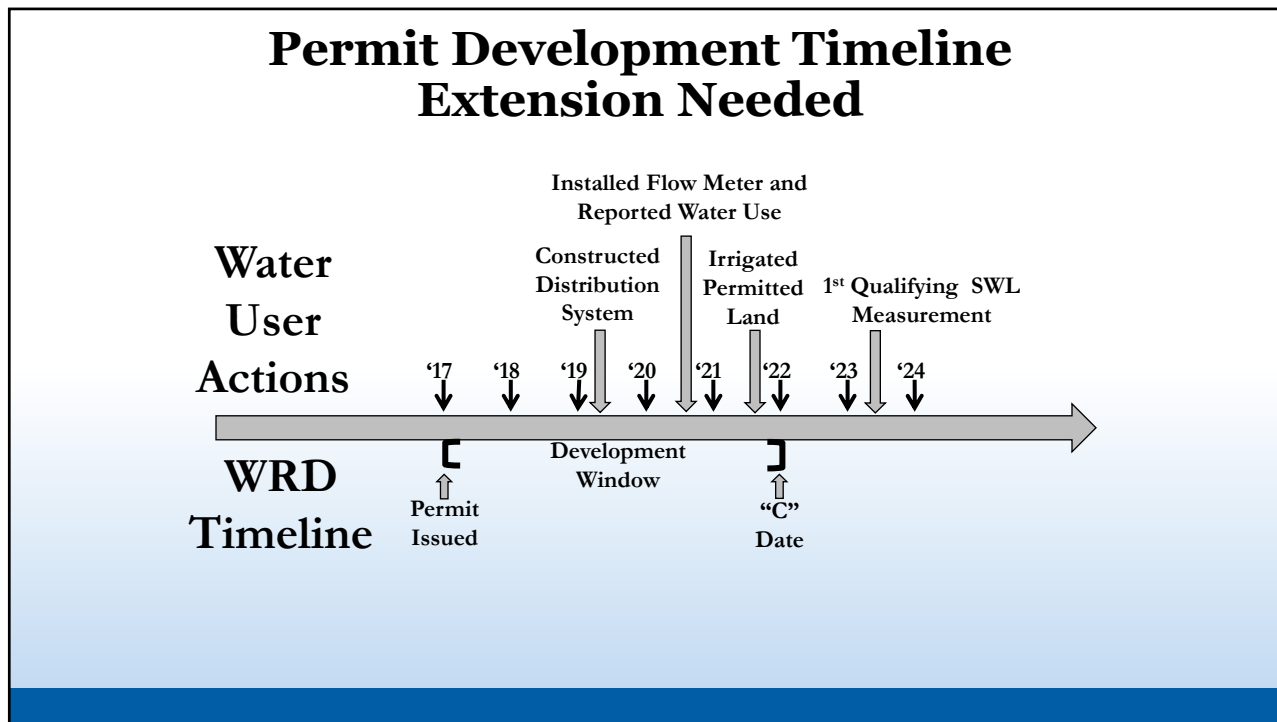
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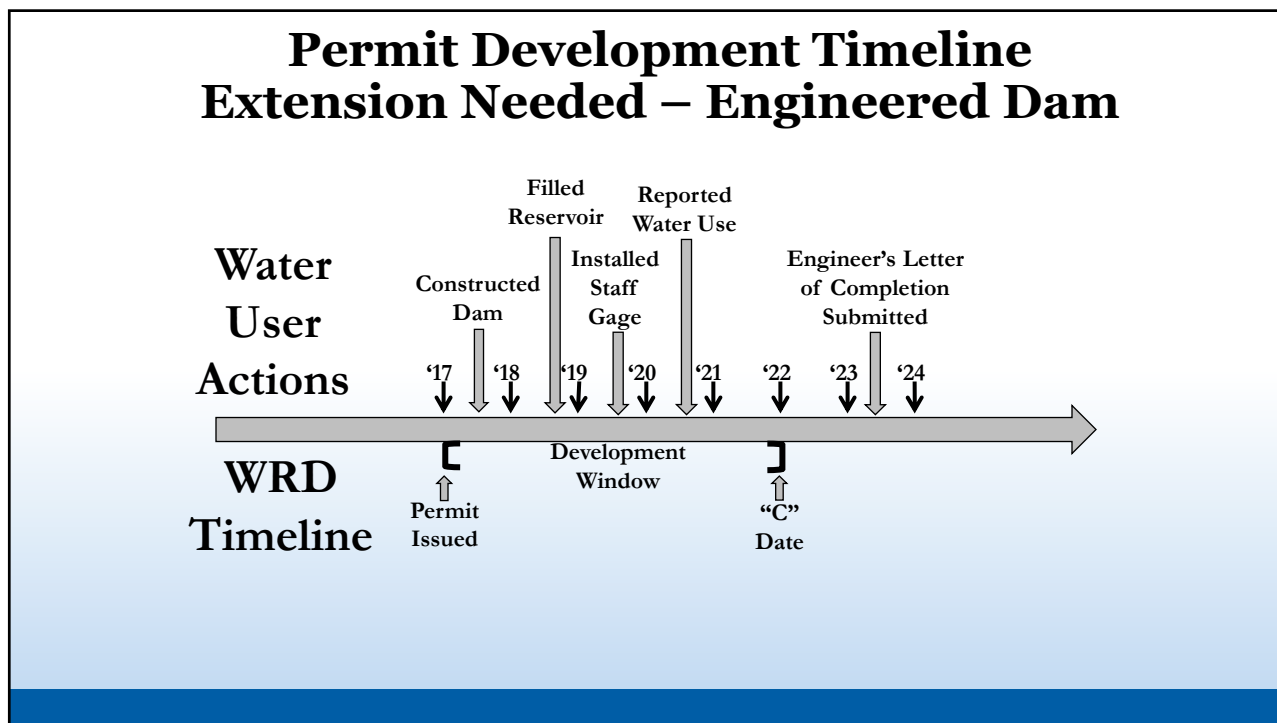
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## Claim VS Extension of Time

### To Summarize:

- If you find that the water user did not complete their use or comply with conditions within the time period allowed in the permit, an extension of time should be requested.
- If the Department reviews a Claim and finds that the timeline to either make the beneficial use or comply with conditions was not met, the Department will move to cancel the permit.

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## Completeness Project – 60 Day Letter

- ORS 537.260 - If a permit holder fails or refuses to submit their Claim of Beneficial Use within the one year of the complete application of water, the Department may begin the process to cancel the permit three month after that date.
- What happens if a Claim or an extension is not submitted?
  - The Department mails a certified "60 Day Letter" to the permit holder(s) of record. A courtesy copy of the letter is mailed to the current landowner(s) of record (per county Assessor records).
  - After 60 days, if a Claim or an extension is not received, the Department issues an order cancelling the permit.
  - Within 60 days of the cancellation, the permit holder may request reinstatement of the permit.
  - There is a \$610.00 fee to reinstate a permit.
- As part of the reinstatement, the permit holder(s) are provided a timeline for the submittal of the Claim or the extension of time. If the permit holder again fails to submit either of these documents, the Department will cancel the permit. It is unlikely that the Department will reinstate the permit a second time.

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## Tips and Reminders

### Tips, Reminders, and Examples:

- Permit Amendments
- Fees
- Signatures
- System Descriptions
- Calculations
- Variations
- Conditions and Extensions
- Mapping

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## Permit Amendments

### A note about Permit Amendments:

- The permit amendment process is used to amend either the location of a point of diversion or appropriation and/or the place of use of a permit.
- This type of change is not a transfer.
- In completing a Claim for a permit that has been amended, you will select the Claim form from the list of Claims for permits, not transfers.

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## Fees

- Not all Claims require a fee.
- To determine whether a fee is required for a permit, you must look at the priority date of the permit.

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## Claim of Beneficial Use No Fee Required

Claims for Permits with priority dates  
prior to July 9, 1987

**No Fee**

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## Claim of Beneficial Use Fee Required

Claims for Permits with priority dates of July 9, 1987, or later (more recent).

**\$230.00 Fee**

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## Signatures

A Claim must be signed by all permit holders of record.

- When a Claim is submitted that has not been stamped and signed by the CWRE the Claim is returned.
- When a Claim is submitted that has not been signed by all permit holders of record, the Claim is returned.

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## Signatures

A Claim must be stamped and signed by the CWRE and signed by all permit holders of record.

Signature  
page:

- CWRE Stamp, signature and contact information.
- Permit holder(s) of record signatures.
- Missing or incorrect signatures are the number one reason for the Department returning a Claim.

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## Signatures

Be sure this  
section of the  
Claim is  
complete.

- Stamped and signed by you, the CWRE
- Signed by **all** permit holders of record
  - Claim will be returned if not properly signed.
  - Include title of person signing the Claim.

Things to look  
for:

- “and”
- “or”
- Northwest Farm Credit Services

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## Signatures

Check WRIS to confirm the current permit holder(s).

- Newer Assignments and the Assignment confirmation letters are included in WRIS under ‘Scanned Documents’

It may be necessary to submit an Assignment either prior to, or concurrent with the Claim.

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## Signatures – Partial Claim

### Partial Claim

- When multiple permit holders are involved, it is possible to submit a Claim for an individual permit holder.
- Claim must clearly identify what portion of the permit is included in the Claim.
- Claim must identify excluded property owners.
- Claim needs to be signed only by the owners of the portion being described in the Claim.
- The Department cannot process a partial Claim unless:
  - It is at least one year and three months past the “C” Date; or
  - The permit has been split.

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## Claims – System Descriptions

### General Narrative Description of the System:

- Provides an outline for the system specific information provided later in the Claim.
- Provides a general description of the system from the point of diversion to the place of use.

### System Specific Description:

- Provides specific information about the components of the system including theoretical calculations.

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## Claims – System Descriptions 1

- Provide a complete description of the system in the Claim

- General narrative in Section 3

4. Provide a general narrative description of the distribution works. This description must trace the water system from **each** point of appropriation to the place of use:

**Well #1 – Water is pumped from the well which is equipped with a totalizing flow meter. The water is conveyed through a buried mainline to a pivot.**

**Well #2 – Water is pumped from the well which is equipped with a totalizing flow meter. The water is conveyed through an above ground mainline to a wheel line.**

**Well #3 – Water is pumped from the well which is equipped with a totalizing flow meter. The water is conveyed through an above ground mainline to a big gun.**

**Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).**

- This system would require that each of the three wells, the pivot, wheel line, and big gun be described to include a computed theoretical capacity for each well, wheel line sprinklers, and big gun. For the pivot, the theoretical capacity can be provided using manufacturer's design data.

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## Claims – System Descriptions 2

- Provide a complete description of the system in the Claim
  - General narrative in Section 3

4. Provide a general narrative description of the distribution works. This description must trace the water system from **each** point of diversion to the place of use:

**The system includes 3 separate springs. There is a collection pipe at each spring which convey water to a 2" pvc mainline. The mainline delivers the water to a single 1000 gallon storage tank. A pipeline leads from the tank to the house served under the permit. The entire system is gravity flow.**

Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

- For this system, the Claim would need to describe the three spring collection pipes, the tank, and the pipe to the place of use. As part of the description, the Claim would include the computed theoretical capacity for each spring and the pipe to the place of use.

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## Claims – System Descriptions 3

- Provide a complete description of the system in the Claim
  - General narrative in Section 3

4. Provide a general narrative description of the distribution works. This description must trace the water system from **each** point of appropriation to the place of use:

**The system includes 3 wells. Each well is equipped with a totalizing flow meter. The wells contribute to a common buried mainline that serves all the irrigation developed under the permit. The water is applied for irrigation using a combination of pivots and wheel lines.**

Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

- This system would require that each of the three wells, the pivots, and wheel lines be described to include a computed theoretical capacity for the well and wheel line sprinklers. For the pivot, the theoretical capacity can be provided using manufacturer's design data.

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## Claims – System Descriptions

- Provide a complete description of the system in the Claim
  - Specific details for each component Section 4 – Pump

1. Is a pump used? YES NO

*If "NO" items 2 through item 6 may be deleted.*

**2. Pump Information:**

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE

**3. Motor Information:**

MANUFACTURER	HORSEPOWER

**4. Theoretical Pump Capacity:**

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)

**5. Provide pump calculations:**

Calculations are required even if a measurement was taken

**6. Measured Pump Capacity (using meter if meter was present and system was operating):**

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)

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## Claims – System Descriptions

- Provide a complete description of the system in the Claim
  - Specific details for each component Section 4 – Gravity Flow Pipe

**D. Gravity Flow Pipe**

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe? YES NO

*If "NO", items 2 through 4 relating to this section may be deleted.*

**2. Complete the table:**

PIPE SIZE	PIPE TYPE	"C" FACTOR	AMOUNT OF FALL	LENGTH OF PIPE	SLOPE	COMPUTED RATE OF WATER FLOW (IN CFS)

**3. Provide calculations:**

Calculations are required even if a measurement was taken

**4. If an actual measurement was taken, provide the following:**

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)

Attach measurement notes.

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## Claims – System Descriptions

- Provide a complete description of the system in the Claim
  - Specific details for each component Section 4 – Gravity Flow Canal or Ditch

**E. Gravity Flow Canal or Ditch**

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system? **YES NO**

*If "NO", items 2 through 4 relating to this section may be deleted.*

2. Complete the table:

CANAL OR DITCH TYPE (MATERIAL)	TOP WIDTH OF CANAL OR DITCH	BOTTOM WIDTH OF CANAL OR DITCH	DEPTH	"N" FACTOR	AMOUNT OF FALL	LENGTH OF CANAL / DITCH	SLOPE	COMPUTED RATE (IN CFS)

3. Provide calculations:

**Calculations are required even if a measurement was taken**

4. If an actual measurement was taken, provide the following:

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)

Attach measurement notes.



## Claims – System Descriptions

- Provide a complete description of the system in the Claim
  - Specific details for each component - Section 4 (Mainline)

7. Is the distribution system piped? **YES NO**

*If "NO" items 8 through item 11 may be deleted.*

**8. Mainline Information**

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND

**9. Lateral or Handline Information**

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND



## Claims – System Descriptions

- Provide a complete description of the system in the Claim
  - Specific details for each component Section 4 – Sprinklers, Pivots, and Notes

**10. Sprinkler Information:**

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)

Reminder: For sprinkler output determination use the reference information at the end of this document.

**11. Drip Emmitter Information:**

SIZE	OPERATING PSI	EMITTER OUTPUT (GPM)	TOTAL NUMBER OF EMITTERS	MAXIMUM NUMBER USED	TOTAL EMITTER OUTPUT (CFS)

**12. Drip Tape Information:**

DRIPPER SPACING IN INCHES	GPM PER 100 FEET	TOTAL LENGTH OF TAPE	MAXIMUM LENGTH OF TAPE USED	TOTAL TAPE OUTPUT (CFS)	ADDITIONAL INFORMATION

**13. Pivot Information:**

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)

Any additional information that you feel would help to describe the system

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## Claims – System Descriptions

### System Description Summary

- The Claim must contain enough information about the pump, ditch, pipe, sprinklers, and drip emitters or drip tape so that theoretical calculations can be run.
- The Claim must contain enough information to determine the maximum rate or volume beneficial of use.
  - Certificates are limited to the lesser of the authorized amount, the capacity of the delivery system, or the amount of actual beneficial use (OAR 690-014-0100(10))
  - In other words, certificates are limited to the lesser of the authorized amount (instantaneous rate or rate equivalent such as 1/40 or 1/80), the capacity of the delivery system (theoretical calculations), or the amount of actual beneficial use (measured use).
- Calculations are required even if the system was operating, and a measurement was taken.
  - Common calculators are available on the CWRE Resource Page

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## Claims – Rate Determination

### Rate Determination Examples

#### Scenario #1

Permit Rate = 1.0 cfs

Permit IR Acres = 40

Permit Rate and Duty = 1/40 and 3.0 af

Developed:

POD = 1.0 cfs

Sprinklers = 1.0 cfs

Developed acres = 40

Certificate limited to 1.0 cfs

Full rate developed for the 40 acres authorized (permit issued for 1 cfs and 40 acres @ 1/40 = 1.0 cfs)

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## Claims – Rate Determination

### Rate Determination Examples

#### Scenario #2

Permit Rate = 1.0 cfs

Permit IR Acres = 40

Permit Rate and Duty = 1/40 and 3.0 af

Developed:

POD = 0.75 cfs

Sprinklers = 0.75 cfs

Developed acres = 40

Certificate limited to 0.75 cfs

- The delivery system capacity is less than the instantaneous rate of water authorized by the permit.

44



## Claims – Rate Determination

### Rate Determination Examples

#### Scenario #3

Permit Rate = 1.0 cfs

Permit IR Acres = 40

Permit Rate and Duty = 1/40 and 3.0 af

Developed:

POD = 1.0 cfs

Sprinklers = 1.0 cfs

Developed acres = 20

Certificate limited to 0.5 cfs

- The delivery system capacity is equal to the instantaneous rate of water authorized by the permit, but because only 20 acres were developed, the rate equivalent of 1/40 limits the rate to 0.5 cfs ( $20 @ 1/40 = 0.5$  cfs)

45



## Claims – Rate Determination

### Rate Determination Examples

#### Scenario #4

Permit Rate = 1.0 cfs

Permit IR Acres = 40

Permit Rate and Duty = 1/40 and 3.0 af

Developed:

POD (theoretical) = 1.0 cfs

Sprinklers (theoretical) = 1.0 cfs

Meter reading = 0.95 cfs

Developed acres = 40

Certificate limited to 0.95 cfs

- The measured use is less than the instantaneous rate of water authorized by the permit.

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## Claims – System Descriptions - Bulge

### When a *Bulge* is involved

- The Claim must describe the system from the POD to the end use. For example:
- POD → Bulge → Bulge Pump → Sprinklers
- Assuming that no water is diverted from the conveyance system between the POD and the bulge, and the limiting duty (1/40 or 1/80) is not exceeded, the rate water is diverted from the source and placed in the “Bulge” is the rate of beneficial use. The rate is not based on the pump at the bulge or the rate of application.

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## Claims – System Descriptions - Bulge

### When a *Bulge* is involved – Example #1

POD → Bulge → Bulge Pump → Sprinklers

Example:

Permit Rate = 0.5 cfs    Permit IR Acres = 40    Permit Rate and Duty 1/80 and 2.5 af

Developed:

POD to bulge diversion rate = 0.2 cfs

Rate of use from bulge = 0.6 cfs

Developed acres = 40

Certificate limited to 0.2 cfs

48



# Claims – System Descriptions - Bulge

## When a *Bulge* is involved - – Example #1

POD → Bulge → Bulge Pump → Sprinklers

Example:

Permit Rate = 0.5 cfs    Permit IR Acres = 40    Permit Rate and Duty 1/80 and 2.5 af

Developed:

POD to bulge diversion rate = 0.5 cfs

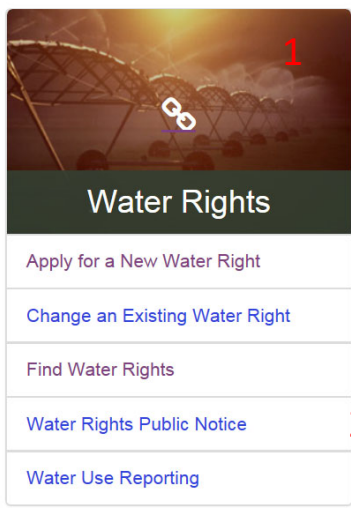
Rate of use from bulge = 0.4 cfs

Developed acres = 20

Certificate limited to 0.25 cfs (20 acres @ 1/80 = 0.25 cfs)



# CWRE Resource Page




**Water Rights**

- Apply for a New Water Right
- Change an Existing Water Right
- Find Water Rights
- Water Rights Public Notice
- Water Use Reporting

## Water Rights

- Adjudications and Registrations
- Certificates
- Conservation
- Decrees
- Forms
- Hydroelectric Program
- Instream
- Other Water Use Authorizations
- Permits
- Reimbursement Authority
- Reporting
- Resources for Certified Water Right Examiners (CWRE)
- Transfers
- Water Right Information Search






## CWRE Resource Page

- CWRE Resource Page:
- Calculations and Calculators
- Compliance with Conditions
- Forms Link
- Update Contact Information

### Resources for Certified Water Right Examiners (CWRE)

<b>Calculations and Calculators</b>	<p>The following resources are provided to aid Certified Water Right Examiners in the preparation of certain application maps and for Claims of Beneficial Use for applications filed after July 9, 1987, and to provide information about how Claims of Beneficial Use are evaluated by the Department.</p>	<p><b>For more information contact:</b>  <a href="#">Gery Clark</a> 503-979-9103</p>
<b>Compliance with Conditions</b>	<p>Claims of Beneficial Use submitted to the Department must be completed on a form provided by the Department. The current versions of the Claim of Beneficial Use form are available for downloading in <a href="#">Word</a> and <a href="#">PDF</a> form (non-interactive).</p>	<p><b>Authority:</b></p> <ul style="list-style-type: none"> <li>• ORS 537.797 - ORS 537.799</li> <li>• OAR 690-014</li> </ul>
<b>Forms and Completeness Checklist</b>		<p><b>Other Resources</b></p> <ul style="list-style-type: none"> <li>• Update Contact Information</li> <li>• State Board of Examiners for Engineering &amp; Land Surveying</li> </ul>

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## Claims – Variations

- Describe any variations from the permit to developed use (What's Different?)
  - Section 3 of the Claim
    - 5. Variations:
 

Was the use developed differently from what was authorized by the permit, permit amendment final order, or extension final order? If yes, describe below. **YES**

(e.g. *“The permit allowed three points of appropriation. The water user only developed one of the points.”* or *“The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres.”*)

**The permit authorized the development of 6 wells. The permit holder developed 3 wells.**

**The permit authorized the development of 100 acres of irrigation. The permit holder developed 88.2 acres of irrigation.**

This section can also be used to identify scrivener’s errors in the permit, and changes in POD or Well names or numbers.

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## Claims - Conditions

- The Claim must fully address compliance with conditions:
  - Time Limits
  - Measuring Devices
  - Water Use Reporting – Check WRIS
  - Static Water Levels – Check WRIS
  - Fish Protection Devices – ODFW Approval or Waiver
  - Well ID Tags
  - Measuring Tubes in Groundwater Permits
  - Pump Tests – \*Prior to certificate issuance\*
  - Other Conditions

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## Claims – Conditions - Time Limits

Who can spot the problem?

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	May 5, 2010		
BEGIN CONSTRUCTION (A)	NA	September 1983	
COMPLETE CONSTRUCTION (B)	NA	September 1983	
COMPLETE APPLICATION OF WATER (C)	May 5, 2015	September 1983	Existing system

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## Claims – Conditions - Time Limits

### Problem Identified

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	May 5, 2010		
BEGIN CONSTRUCTION (A)	NA	September 1983	
COMPLETE CONSTRUCTION (B)	NA	September 1983	
COMPLETE APPLICATION OF WATER (C)	May 5, 2015	September 1983	Existing system  **There is no mention of use between May 5, 2010 and May 5, 2015

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## Claims – Conditions - Time Limits

### Solution

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	May 5, 2010		
BEGIN CONSTRUCTION (A)	NA		**This system has been in place since 1983.
COMPLETE CONSTRUCTION (B)	NA		
COMPLETE APPLICATION OF WATER (C)	May 5, 2015	May 31, 2010	Following issuance of the permit, the water user installed the fish screen and meter and used water for the irrigation of permitted acres.

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## Claims – Conditions - Time Limits

Who can spot the problem?

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	May 5, 2010		
BEGIN CONSTRUCTION (A)	NA		
COMPLETE CONSTRUCTION (B)	NA		
COMPLETE APPLICATION OF WATER (C)	May 5, 2015	August 5, 2018	Site Inspection. System was operating as intended.

57




## Claims – Conditions - Time Limits

Problem Identified

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	May 5, 2010		
BEGIN CONSTRUCTION (A)	NA		
COMPLETE CONSTRUCTION (B)	NA		
COMPLETE APPLICATION OF WATER (C)	May 5, 2015	August 5, 2018	Site Inspection. System was operating as intended.  **There is no mention of use between May 5, 2010 and May 5, 2015

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## Claims – Conditions - Time Limits

### Solution

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	May 5, 2010		
BEGIN CONSTRUCTION (A)	NA		
COMPLETE CONSTRUCTION (B)	NA		
COMPLETE APPLICATION OF WATER (C)	May 5, 2015	June 10, 2012	System was operating as intended and irrigating the lands with fish screen and totalizing flow meter in place.

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## Claims – Conditions - Time Limits

### Who can spot the problem?

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	May 5, 2010		
BEGIN CONSTRUCTION (A)	NA		
COMPLETE CONSTRUCTION (B)	NA		
COMPLETE APPLICATION OF WATER (C)	May 5, 2015	August 5, 2018	Use made with meter in place.

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## Claims – Conditions - Time Limits

### Problem Identified

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	May 5, 2010		
BEGIN CONSTRUCTION (A)	NA		
COMPLETE CONSTRUCTION (B)	NA		
COMPLETE APPLICATION OF WATER (C)	May 5, 2015	August 5, 2018	Use made with meter in place.  **There is no mention of use between May 5, 2010 and May 5, 2015

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## Claims – Conditions - Time Limits

### Solution

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	May 5, 2010		
BEGIN CONSTRUCTION (A)	NA		
COMPLETE CONSTRUCTION (B)	NA		
COMPLETE APPLICATION OF WATER (C)	May 5, 2015	June 2010	Use made with meter in place. Original meter was replaced in August 2018.

62

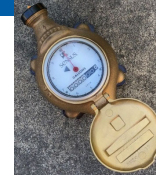


## Claims – Measuring Devices

What measurement device is required?

- Meter vs Totalizing Flow Meter

- Totalizing flow meter is specific
  - Must be a totalizing flow meter
- Meter is generic
  - Could be:
    - Dedicated electrical meter
    - Instantaneous flow meter
    - Totalizing flow meter
    - Hour meter on a generator



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## Claims – Measuring Devices

What measurement device is required?

- Other suitable measuring devices:

- Require approval by Watermaster
  - Example – A reservoir permit that requires a meter or other suitable measuring device. Watermaster would need to approve a Staff Gage.



- Key questions to ask:

- When was the original measuring device installed?
- Is this a replacement device?

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## Claims – Flow Restrictors

### What is a Flow Restrictor?

- A flow restrictor is a device that is placed in-line to restrict the flow to the amount of water diverted to ensure that the authorized rate of use is not exceeded.
- A flow restrictor is not a measuring device.
- Examples:
  - An appropriated sized pipe to restrict the flow.

Tip - Water user can contact a pump service to help with the design and installation of an appropriately sized pipe to restrict the flow to the authorized rate.

- A ball valve placed in line that be used to calibrate and reduce the rate to that authorized under the right.

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## Flow Restrictors and Measuring Devices

Many permits require that both a totalizing flow meter and a flow restrictor be installed.

- Because a flow restrictor is not a measuring device, the permit holder would be required to install both devices in order to comply with this condition.

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## Claims – Water Use Reporting

• Water Use Reporting Data – See WRIS

**Water Use Report Based on Water Right**

Permit: G 14077 \*  
MILLER, RONALD E ARCHBISHOP FRANCIS N BLANCHET SCHOOL 4373  
MARKET ST NE SALEM, OR 97301

Records per page: 20

Workflow (Click to Collapse...)

- ▶ Application: G 15182
- ▶ Permit: G 14077 [document](#) , [paper map](#)
- ▶ Signature: 10/17/2001

Permit Workflow			
Action	Date	Result	Completed By
Completion Date [C Date]	10/1/2005		
CBU Received	9/23/2015		


- ▶ [View right with Web Mapping](#)
- ▶ [View Places of Use from Water Rights in the Same Area](#)
- ▶ [View Reported Water Use](#)

Water Year*	Report ID	Facility	Acres-feet (AF) of Water Used												Total Water Used	Irrigated Acres
			Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep		
2016	60622	WELL 1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.54	6.10	7.50	1.38	16.53	
2015	60622	WELL 1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.12	3.08	3.85	0.46	7.50	6.43
2014	60622	WELL 1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.32	1.87	3.65	0.24	6.08	
2013	60622	WELL 1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.25	0.66	1.73	4.53	0.00	7.17	
2008	60622	WELL 1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.19	4.38	4.19	1.40	11.17	
2006	60622	WELL 1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.73	4.07	3.45	2.55	11.81	
2006	60623	WELL 2	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2006	60624	WELL 3	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2005	60622	WELL 1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.79	1.32	3.79	4.07	1.68	11.64	
2005	60623	WELL 2	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2005	60624	WELL 3	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2003	60622	WELL 1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.16	2.01	4.02	4.02	2.01	13.22	
2001	60622	WELL 1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	

\*The water year is named for the calendar year in which it ends. Example: the 2014 water year begins Oct. 1, 2013 and ends Sep. 30, 2014.

- Water use is reported by point of diversion (POD), rather than by water right.
- If a POD is shared with multiple water rights, it is not feasible to separate out the amount used under the water right being queried from water used by other rights using this same POD.
- Monthly amounts indicate:
  - For diverted rights, the total amount diverted during the month;
  - For storage rights, the amount generally stored in the reservoir/pond during the month, as represented by the volume of water impounded on approximately the same day each month.
- Water Use amounts have all been converted to 'acre-feet' (AF), regardless of the original measurement unit reported. One AF is the volume of water that will cover an acre of ground one foot deep = 325,850 gallons.
- Zeros indicate that a report was received, stating that no water was used during those months; if a year is not listed, no report of water use was received for that year.

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## Reporting Forms and Measuring Device Info

An official website of the State of Oregon [How you know »](#)


OREGON.GOV Home About Us Access Data/Maps Forms Programs Publications and Reports Newsroom Online Payments

reporting

Select a Form (PDF)	Category	Alt Keyword	WordDoc
<a href="#">How to Read Totalizing Flow Meters</a>	Reporting Forms	How To	
<a href="#">How to Select and Install a Suitable Flow Measuring Device</a>	Reporting Forms	How To, Well, Stream, River, Lake, Dam, Pond	
<a href="#">Permit Condition Water-Level Reporting Form</a>	Reporting Forms	Well	
<a href="#">Reporting Water Use Online</a>	Reporting Forms	How To, Well, Stream, River, Lake, Dam, Pond	
<a href="#">Water Use Recording and Reporting Form with Instruction on How to Report</a>	Reporting Forms	Well, Stream, River, Lake, Dam, Pond	
<a href="#">Water Use Reporting - FAQs</a>	Reporting Forms	How To, Well, Stream, River, Lake, Dam, Pond	
<a href="#">Split Season Measurement and Reporting Form</a>	Water Right Transfer	Modify, Move, Change	<a href="#">Link</a>

Showing 7 out of 7 Items

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## Claims - Static Water Level Data

• Static Water Level Data – See WRIS

**Contact Information** (Click to Collapse...)

**Current contact information**

OWNER:  
BARBARA SCHMITZ BUCHHOLTZ  
19584 HAINES RD  
SCOTT'S HILLS, OR 97375

OWNER:  
TOP BUCHHOLTZ  
19584 HAINES RD  
SCOTT'S HILLS, OR 97375

**Prior contact information**

OWNER:  
RICHARD SCHMITZ  
19584 HAINES RD  
SCOTT'S HILLS, OR 97375

**Water Right Information** (Click to Collapse...)

Status: Non-Cancelled  
County: Marion  
File Folder Location: Salem  
Watermeter District: 16

**Scanned Documents** (Click to Expand...)

Point(s) of Diversion (Click to Collapse...)

• **POB1 - A WELL - ALDER CREEK** (View Groundwater Site Info)

Place(s) of Use (Click to Collapse...)

Use - IRRIGATION  
(Primary) - 8.0 acres; Priority Date: 2/19/1997

**Applications: 6 14459**

Permit: 6 13424 (Application) (Basic Permit)

Signature: ZJ

**Well Log** | **AQUIFER** | **Aq at MAX Depth** | **System Aquifer**

MARI 18044	Tertiary Marine Volcanic & Sedimentary Rock Aq	Tertiary Marine Volcanic & Sedimentary Rock Aq	Tertiary Marine Volcanic and Sedimentary Rock Aquifers
------------	--	--	--

**Well Test**


No data matches search criteria.

**Measured Water Level** (Click to Collapse...)

Records/Page: 20 Find

Date	Time	Water Level (BLSD)	WL Elev (ft AMSL)	Organization	OWRD	Method	Status	MP Height
8/10/1992		58.50	784.50	DRILLER	WELL LOG	REPORTED	UNKNOWN	
3/18/1997		58.00	785.00	OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	
4/2/1999		57.50	785.50	OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	
4/12/2000		57.00	786.00	OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	
3/30/2001		58.06	784.94	OWRD	WELL INSPECTION	ETAPE	STATIC	1.50

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## Static Water Level Measurements Tip

- If multiple wells are involved in a permit, there may be an opportunity to provide an alternative plan to measure and report SWLs:

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. → If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department. ←

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## Static Water Level Measurements Electronical Submittal

- Static Water Level Measurements can be submitted electronically at the following email address:

[OWRD.WaterLevelReporting@water.oregon.gov](mailto:OWRD.WaterLevelReporting@water.oregon.gov)

- The Permit Condition Water-Level Reporting Forms (pdf fillable) can be found on the “Forms” page by searching on “reporting” or at the following link:

[https://www.oregon.gov/owrd/WRDFormsPDF/SWL\\_Reporting\\_Form.pdf](https://www.oregon.gov/owrd/WRDFormsPDF/SWL_Reporting_Form.pdf)

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## Claims - Fish Protection Conditions

If a permit required some type of fish protection device, fish screen, by-pass device, or fish passage:


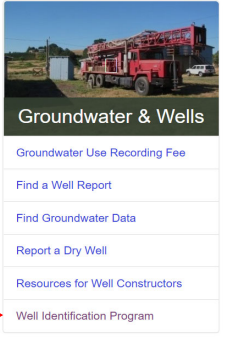
- Most likely will require Oregon Department of Fish and Wildlife approval or waiver in writing.
- For some older permits and transfers the water user may be able to self-certify the fish screen if each of the following criteria are met:
  1. Must be for a pumped diversion;
  2. Developed pumping capacity must be less than 225 gpm;
  3. The permit or transfer was issued prior to February 1, 2011.

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## Claims - Well ID Tags

- Newer groundwater permits contain a condition that requires the water user to have a Well ID Tag assigned and permanently attached to the well prior to use of any water from the well.
- In the case of a pre-existing well, the well may not have a Tag.
- Work with the permit holder to obtain a Tag prior to submitting the Claim.


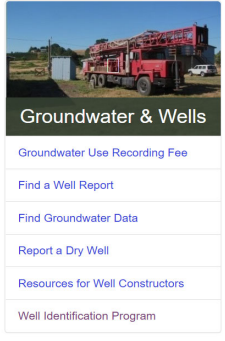



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## Tip - Well ID Tags

- Whenever you encounter a well without a Well ID Tag, work with the well owner to obtain a Tag. This could be at the time of:
  - SWL Measurement;
  - Field Inspection for the CBU;
  - Other work that involves the property or well.
- If a well ID Tag is not assigned or attached by the "C" Date, be sure to get a tag on the well prior to Claim submittal.
- An extension of time is not necessary for a permit holder to come into compliance with this condition.

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## Claims - Pump Tests

- What is a Pump Test?
  - It is a minimum four-hour test of the aquifer.
- Pump Test Specifications – Three Phases:
  1. Pre-Pumping Phase
  2. Pumping Phase
  3. Post Pumping or Recovery Phase


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## Claims - Pump Tests

- Three ways that the Pump Test Requirement can be satisfied:
  - Perform the Pump Test
  - Request an Unreasonable Burden Exemption
  - Request a Multiple Well Exemption
- Wells not requiring a Pump Test:
  - A well with a diameter greater than 36 inches and a depth less than 30 feet.
  - Excavations that produce water from horizontal screens embedded in a gravel pack (infiltration galleries) or vertical caissons that produce water from a radiating system of horizontal casings or screens (collection wells).

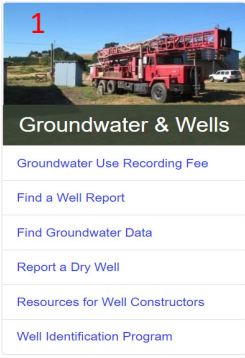
76



## Claims - Pump Tests

**• Pump Tests – Additional Thoughts**

**1**



**2** →

Groundwater and Wells

- Groundwater
- Well Construction and Compliance
- Report a Dry Well


**3** →

Groundwater

- Groundwater Monitoring
- Groundwater Administrative Areas & Critical Groundwater Areas
- Artificial Groundwater Recharge (AR)
- Aquifer Storage & Recovery (ASR)
- Low Temperature Geothermal
- Pump Test Program**
- Technical Input to Water Rights Decisions

A groundwater permit for which a Claim has been submitted without the Pump Test requirement being met is not ripe for Department review.

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## Claims - Pump Tests

To submit a Pump Test, Multiple Well Exemption or a request for an Exemption Due to Unreasonable Burden, send it electronically to:

[wrd\\_dl\\_pumptestsupport@water.oregon.gov](mailto:wrd_dl_pumptestsupport@water.oregon.gov)

To request a status update related to a previously submitted test or exemption request, send it electronically to:

[wrd\\_dl\\_pumptestsupport@water.oregon.gov](mailto:wrd_dl_pumptestsupport@water.oregon.gov)

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## Claims – Other Conditions

- Reporting on all conditions is essential. This includes “Other Conditions”:

  - The reporting on “Other Conditions”, conditions that are not as common, need to be addressed in the Claim.
  - These “Other Conditions” will vary between surface water permits and groundwater permits.
  - Example of an overlooked condition – Progress Report submittal.
    - This condition comes from Extension of Time Final Orders.

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## Claims – Other Conditions – Surface Water

**7. Other conditions required by permit, permit amendment final order, or extension final order:**

- |  |            |           |
|--|------------|-----------|
| a. Was the water user required to restore the riparian area if it was disturbed? | <b>YES</b> | <b>NO</b> |
| b. Was a fishway required?   | <b>YES</b> | <b>NO</b> |
| c. Was submittal of a water management and conservation plan required?           | <b>YES</b> | <b>NO</b> |
| d. Other conditions?   | <b>YES</b> | <b>NO</b> |

If “YES” to any of the above, identify the condition and describe the water user’s actions to comply with the condition(s):

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## Claims – Other Conditions – Groundwater

**8. Other conditions required by permit, permit amendment final order, or extension final order:**

- a. Were there special well construction standards? YES NO
- b. Was submittal of a ground water monitoring plan required? YES NO
- c. Was submittal of a water management and conservation plan required? YES NO
- d. Was a Well Identification Number (Well ID tag) assigned and attached to the well? YES NO

WELL ID #	DATE ATTACHED TO WELL

- e. Other conditions? YES NO

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

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# Claim of Beneficial Use Mapping Reminders/Examples

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## Mapping Nursery Use

- The mapping of the developed place of use for Nursery Use should include only those areas where the water was used for a Nursery related use:

OAR 690-300-0010(30) "Nursery Operations Use" means the use of water for operation of a commercial nursery which may include *temperature control, watering of containerized stock, soil preparation, application of chemicals or fertilizers, watering within greenhouses and uses to construct, operate and maintain nursery facilities. The use of water within plant nursery operations constitutes a different use from field irrigation, although that may be a part of nursery use.* If used for field irrigation for nursery stock, such use is not restricted to the defined agricultural irrigation season.

- Nursery Use is essentially irrigation use, agricultural use, and temperature control use all merged into one use.
- Because there is an irrigation component in "Nursery Use", the place of use must quantify the number of acres within the areas(s) where water was used.

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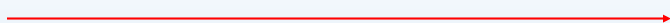
## Mapping Nursery Use

### Nursery Use – Where Water Was Used

Assume the following:

Permit issued for 10 acres of Nursery Use.


Tax Lot 3100 is 10.0 acres.

At the time of the Inspection following the "C" Date, this is what you find. 

Where was water used for Nursery Use?



84

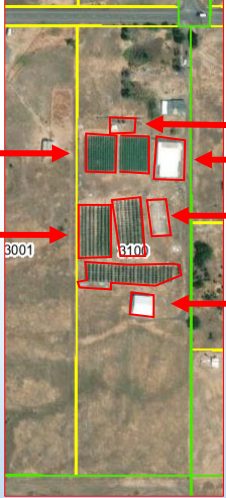


## Mapping Nursery Use

**Nursery Use – Where was water used?**

In-Ground Irrigation →

In-Ground Irrigation →



← Equipment Storage and Maintenance Yard


← Production Facility

← Greenhouse

← Production Facility

Total acres where water is used for Nursery Use is approximately 2.0 acres

85



## Common Map Issues

- Here is a list of the most common mapping issues:
  - Maps not submitted on polyester film;
  - Scrivener's errors in application, permit, certificate or transfer numbers referenced on the map;
  - Scrivener's errors in the township, range and section on the map;
  - Scrivener's errors in the coordinates for points of diversion or appropriation;

86



## Common Map Issues Cont.

- Common mapping issues continued:
  - Measurement devices not identified on map;
  - Fish protection devices not identified on map;
  - Donation Land Claims and Government Lots not identified, and acreages not designated within projected quarter quarters; and
  - Maps not at authorized scale without an approved waiver request.
  - Map does not clearly identify the quarter quarter where the place of use or point of diversion/appropriation are located.

87



## Common Map Issues Cont.

- Common mapping issues continued:
  - Map identifies more acres than were authorized by the permit.
  - The footprint of the supplemental irrigation falls outside of the footprint of the primary right that it is associated with.
    - The supplemental acres must match the footprint, or fall within the boundary, of the primary water right.

88



## Claim Map Coordinates

- Two acceptable location measurement descriptions for the point of diversion/appropriation:
  1. Bearing and distance by reference to a recognized public land survey corner; or
  2. Coordinates - distance north or south and distance east or west by reference to a recognized public land survey corner.
- See OAR 690-014-170 and OAR 690-310-050

89



## GPS Coordinates

GPS coordinates are not authorized as the sole identifier for the location of a point of diversion, well, or dam in the Rules pertaining to CBU Maps (Division 14 and Division 310).

OAR 690-310-050(4) allows for any locational coordinate information that the applicant may wish to provide, including latitude and longitude as established by a global positioning system in addition to bearing and distance or coordinates (distance north or south and distance east or west from the reference corner).

90





## Claim Map Coordinates

- Point of Diversion or Point of Appropriation descriptions by coordinates on Claim map.
  - Should the location of a POD or POA be describes using cardinal directions or as distances along section, donation land claim, quarter quarter, or government lot lines?
  - Cardinal directions should be used to identify the location of the POD or POA.

91



## Government Lots and DLCs

- The map must include Government Lots and Donation Land Claims, if applicable.
- Attach copies of the maps you used to lay out the section(s) where the use or point of diversion/appropriation is located.
- Copies of the Government Land Office records (GLOs) can be found through the Bureau of Land Management's web site at:
  - [www.blm.gov/or/landrecords/survey/ySrvy1.php](http://www.blm.gov/or/landrecords/survey/ySrvy1.php)

92



# DLCs



93



# Government Lots



94



## Mapping Multiple Rights

- In some cases, multiple permits may be included on a single Claim map. If this is the case, be sure to differentiate between the various rights.
  - Important because:
    - Different priority dates;
    - Different rights;
    - Different PODs or POAs; and
    - Different sources

95



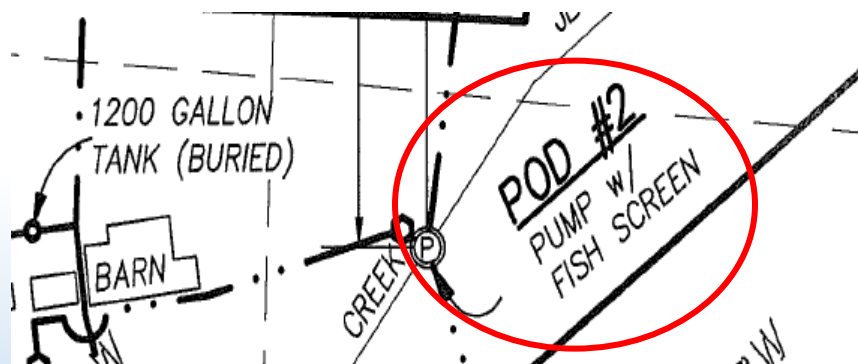
## Fish Screens and Measurement Devices

- The location of any required fish screens, fish by-pass devices, or fish passage devices are required to be identified on the Claim map in relationship to the point of diversion.
- The location of any required measurement devices are required to be identified on the Claim map in relationship to the point of diversion or appropriation.

96



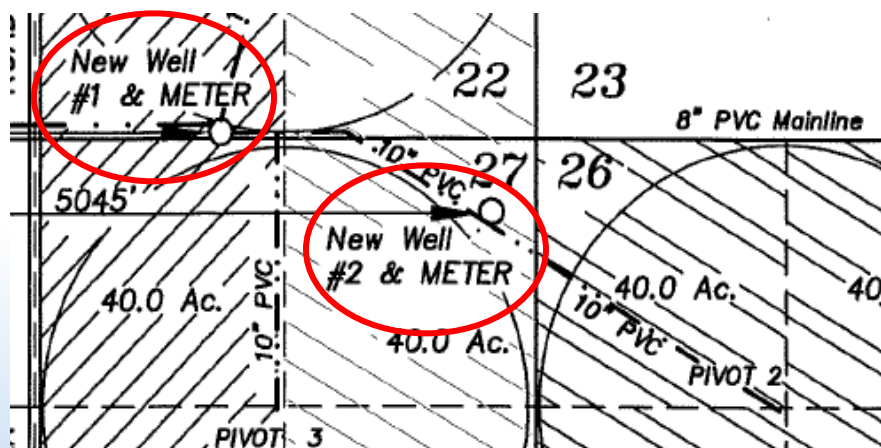
# Fish Screens



97



# Meters and Measuring Devices



98



## Summary – Permit Claim Form

- Beneficial use under a permit is the timely use of water, for the allowed use(s), while timely complying with each condition of the permit.
- Claims for a permit need to describe the use(s) developed, the extent of the developed use (including acres, rate and volume), and compliance with conditions;
- The Claim must address each condition of the permit;

99



## Summary – Claim Form

- Claim forms can be found on our Forms Page:

Internet Explorer Users: Right click on the document and click "Save as Target" to download.

Select a Form (PDF)	Category	Alt Keyword	WordDoc
<a href="#">Groundwater Allocation Project Timeline</a>			
<a href="#">Gula para propietarios de vivienda</a>		Planning Grants	
<a href="#">Claim of beneficial use for Transfer Surface to Groundwater POA</a>	Claims of Beneficial Use	Well, Stream, River, Lake, Dam, Pond, Modify, Move, Change, COBU	<a href="#">Link</a>
<a href="#">Claim of beneficial use for Transfer with Multiple Changes – Surface Water and Groundwater</a>	Claims of Beneficial Use	Modify, Move, Change, COBU	<a href="#">Link</a>

100



## Summary – Permit Claim Form

- If ownership of the lands involved has changed, an Assignment may be necessary in order to file the Claim; and
- Always download the most current version of the Claim form when beginning a new project.

101



## Summary – Permit Claim Map

- The map must be prepared on polyester film map;
- The map must include Government Lots, Donation Land Claims, or Home Entry Surveys;
- The map must identify the tax lots, by both the unique tax lot number(s) and location;
- If you need a different map scale, request a waiver. Acceptable scales are 1" = 400', 1" = 1320', or the full scale of the Assessor's map;

102



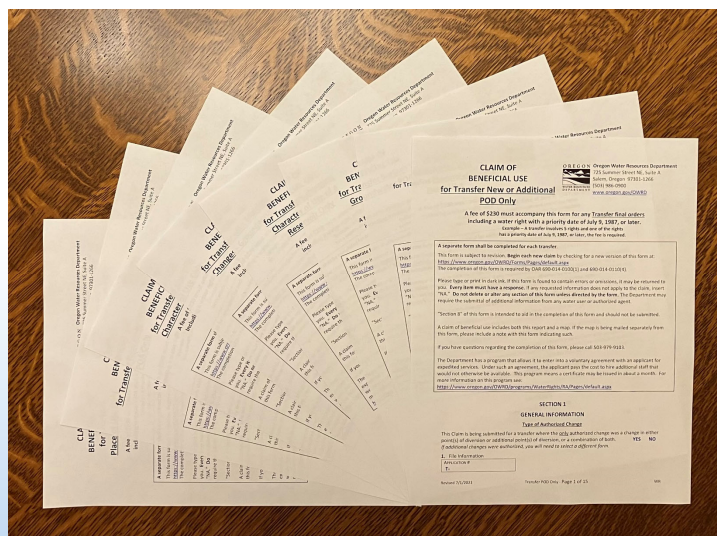
## Summary – Permit Claim Map

- The map must include the location of any required fish protection devices;
- The map must include the location of any required measurement devices; and
- The map must differentiate between the various permits if more than one is included on the Claim map.

103



## Transfer Claims of Beneficial Use



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## Transfer Claim of Beneficial Use

- What is a Claim of Beneficial Use (Claim, CBU, or COBU) for a Transfer?
  - A **report** that describes the extent of a change or changes completed under a transfer final order and timely compliance with conditions; and
  - A **map** that identifies the developed location of the new place of use, new or additional point(s) of diversion or appropriation, and the location of any measuring devices and fish protection devices required by the transfer final order.

105



## What is Beneficial Use under a Transfer?

- Beneficial Use under a transfer is:  
The completion of the authorized change(s) while timely complying with the conditions of the transfer final order.  
  
“Timely”, as used here, describes the period between transfer final order issuance and the authorized “C” Date.
  - Completion of the change + Compliance = Beneficial Use
  - Completion of the change – Compliance ≠ Beneficial Use
- \*\*Important: Most conditions are time sensitive.

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## Transfer Claims

- Claims only need to describe the change that was authorized under the transfer final order.
- See CWRE Resource Page for Claim forms or access the Forms page from our home page. There are currently a total of 10 Claim forms available to accommodate the various types of changes completed as well as sources of water involved.
- Always download the most current version of the Claim form when beginning a new project.

107



## New POD/POA Only

Type of Change (Single)	Claim Report	Map - POD/POA	Map - POU	Possible Results of the CBU review
New POD/POA	Only describe new POD/POA Compliance with conditions	Identify new POD/POA location by survey	Identify POU using record data at time of transfer final order (no new survey required)	Reduction in instantaneous rate if new POD/POA cannot produce the full rate authorized

POD – Point of Diversion  
 POA – Point of Appropriation  
 POU – Place of Use  
 CBU – Claim of Beneficial Use

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## Additional POD/POA Only

Type of Change (Single)	Claim Report	Map - POD/POA	Map - POU	Possible Results of the CBU review
Additional POD/POA	<p>Only describe additional POD/POA</p> <p>Compliance with conditions</p>	<p>Identify additional POD/POA location by survey</p> <p>Identify original POD/POA location using record data at time of transfer final order (no new survey required)</p>	Identify POU using record data at time of transfer final order (no new survey required)	<p>Reduction in instantaneous rate of the additional POD/POA only if it cannot produce the full rate authorized</p> <p>Original POD/POA will remain at the rate authorized by the transfer final order</p>

POD – Point of Diversion  
 POA – Point of Appropriation  
 POU – Place of Use  
 CBU – Claim of Beneficial Use

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## Change in POU Only

Type of Change (Single)	Claim Report	Map - POD/POA	Map - POU	Possible Results of the CBU review
Change in POU only	<p>Only describe the extent of the new POU</p> <p>Compliance with conditions</p>	Identify original POD/POA location using record data at time of transfer final order (no new survey required)	Identify new POU based on a new survey of location	<p>Reduction in the POU if fewer acres or limited POU developed following issuance of the transfer final order</p> <p>Possible reduction in instantaneous rate based on the authorized rate limit from original right (1/40, 1/80, etc)</p>

POD – Point of Diversion  
 POA – Point of Appropriation  
 POU – Place of Use  
 CBU – Claim of Beneficial Use

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## Character of Use Change Only

Type of Change (Single)	Claim Report	Map - POD/POA	Map - POU	Possible Results of the CBU review
Character of use change only	Only describe the date that the new use made  Compliance with conditions	Identify original POD/POA location using record data at time of transfer final order (no new survey required)	Identify POU using record data at time of transfer final order (no new survey required)	Most likely no changes from transfer order

POD – Point of Diversion  
 POA – Point of Appropriation  
 POU – Place of Use  
 CBU – Claim of Beneficial Use

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## Reservoir Character of Use Change

Type of Change (Single)	Claim Report	Map - POD/POA	Map - POU	Possible Results of the CBU review
Reservoir character of use change only	Only describe the date that storage was made for the new use  Compliance with conditions	Identify original POD/POA location using record data at time of transfer final order (no new survey required)	Identify POU using record data at time of transfer final order (no new survey required)	Most likely no changes from transfer order

POD – Point of Diversion  
 POA – Point of Appropriation  
 POU – Place of Use  
 CBU – Claim of Beneficial Use

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# Multiple Change Transfers

## New POD/POA and New POU

Types of Changes (Multiple)	Claim Report	Map - POD/POA	Map - POU	Possible Results of the CBU review
New POD/POA	Describe new POD/POA  Compliance with conditions	Identify new POD/POA location by survey	See below for change in POU	Reduction in instantaneous rate if new POD/POA cannot produce the full rate authorized
<b>PLUS</b>				
Change in POU	Describe the extent of the new POU  Compliance with conditions	See above for new POD/POA	Identify new POU based on a new survey of location	Reduction in the POU if fewer acres or limited POU developed following issuance of the transfer final order  Possible reduction in instantaneous rate based on authorized rate limit from original right (1/40, 1/80, etc)

POD – Point of Diversion  
 POA – Point of Appropriation  
 POU – Place of Use  
 CBU – Claim of Beneficial Use

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# Multiple Change Transfers

## Additional POD/POA and New POU

Types of Changes (Multiple)	Claim Report	Map - POD/POA	Map - POU	Possible Results of the CBU review
Additional POD/POA	Describe additional POD/POA  Compliance with conditions	Identify additional POD/POA location by survey  Identify original POD/POA location using record data at time of transfer final order (no new survey required)	See below for change in POU	Reduction in instantaneous rate of the additional POD/POA only if it cannot produce the full rate authorized  Original POD/POA will remain at the record rate at the time of transfer final order
<b>PLUS</b>				
Change in POU	Describe the extent of the new POU  Compliance with conditions	See above for additional POD/POA	Identify new POU based on a new survey of location	Reduction in the POU if fewer acres or limited POU developed following issuance of the transfer final order  Possible reduction in instantaneous rate based on the authorized rate limit from original right (1/40, 1/80, etc)

POD – Point of Diversion  
 POA – Point of Appropriation  
 POU – Place of Use  
 CBU – Claim of Beneficial Use

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## Multiple Change Transfers

### New POD/POA, New POU, and Character of Use Change

Type of Changes (Multiple)	Claim Report	Map - POD/POA	Map - POU	Possible Results of the CBU review
New POD/POA	Describe new POD/POA  Compliance with conditions	Identify new POD/POA location by survey	See below for change in POU	Reduction in instantaneous rate if new POD/POA cannot produce the full rate authorized
PLUS				
Change in POU	Describe the extent of the new POU  Compliance with conditions	See above for new POD/POA	Identify new POU based on a new survey of location	Reduction in the POU if fewer acres or limited POU developed following issuance of the transfer final order  Possible reduction in instantaneous rate based on the authorized rate limit from original right (1/40, 1/80, etc)
PLUS				
Character of use change	Describe the date that the new use made  Compliance with conditions	See above for new POD/POA	See above for change in POU	Most likely no changes from transfer order

POD – Point of Diversion  
 POA – Point of Appropriation  
 POU – Place of Use  
 CBU – Claim of Beneficial Use

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## Purpose of a Transfer Claim

**Purpose of a Transfer:**

To describe the extent that the changes authorized in the Transfer Final Order were accomplished.

- Change in PODs or POAs;
- Addition of a PODs or POAs;
- Changes in place of use developed;
- Changes in character of use developed; and
- Describe how conditions were satisfied.

116



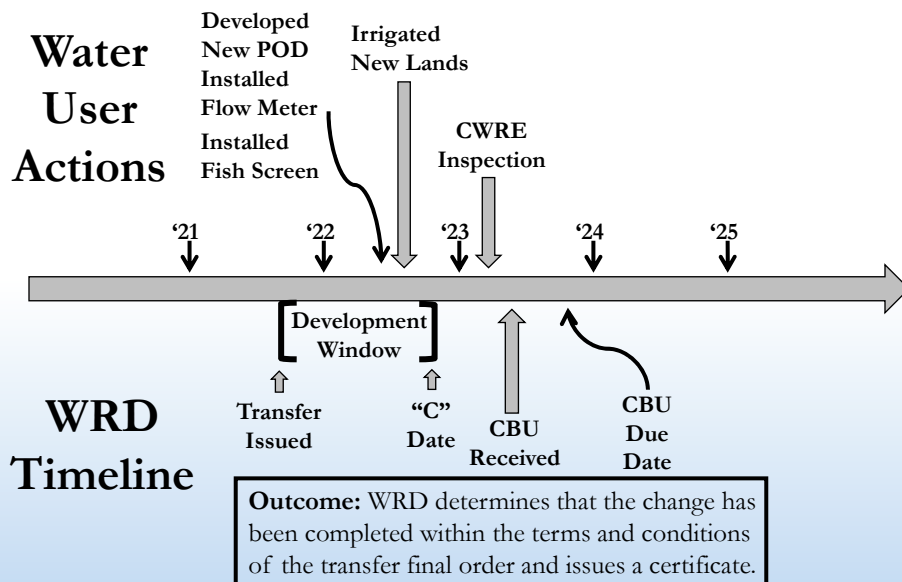
# Claim VS Extension of Time

Should a Claim be submitted or is an Extension of Time needed?

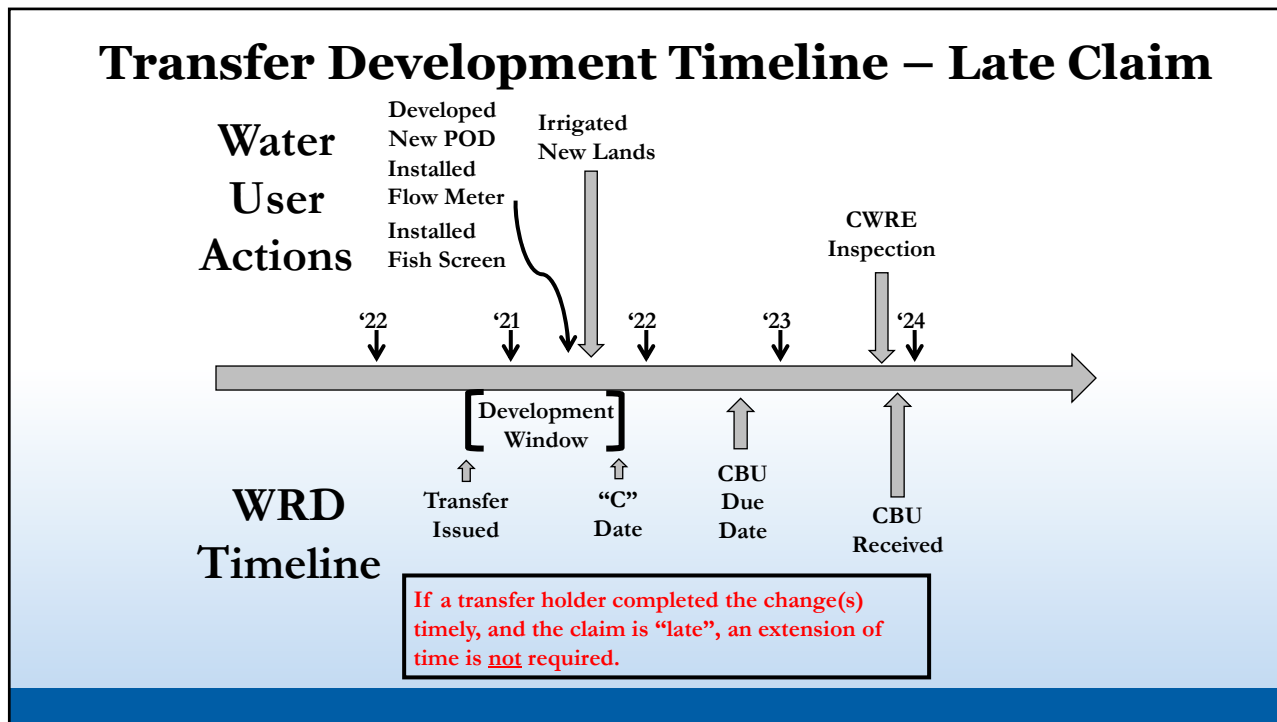
- Has the water user completed the authorized change(s) within the authorized time limits?
- How do you decide if authorized the change(s) within the authorized time limits?
  - Review the transfer, extensions of time, and records available from the water user.

117

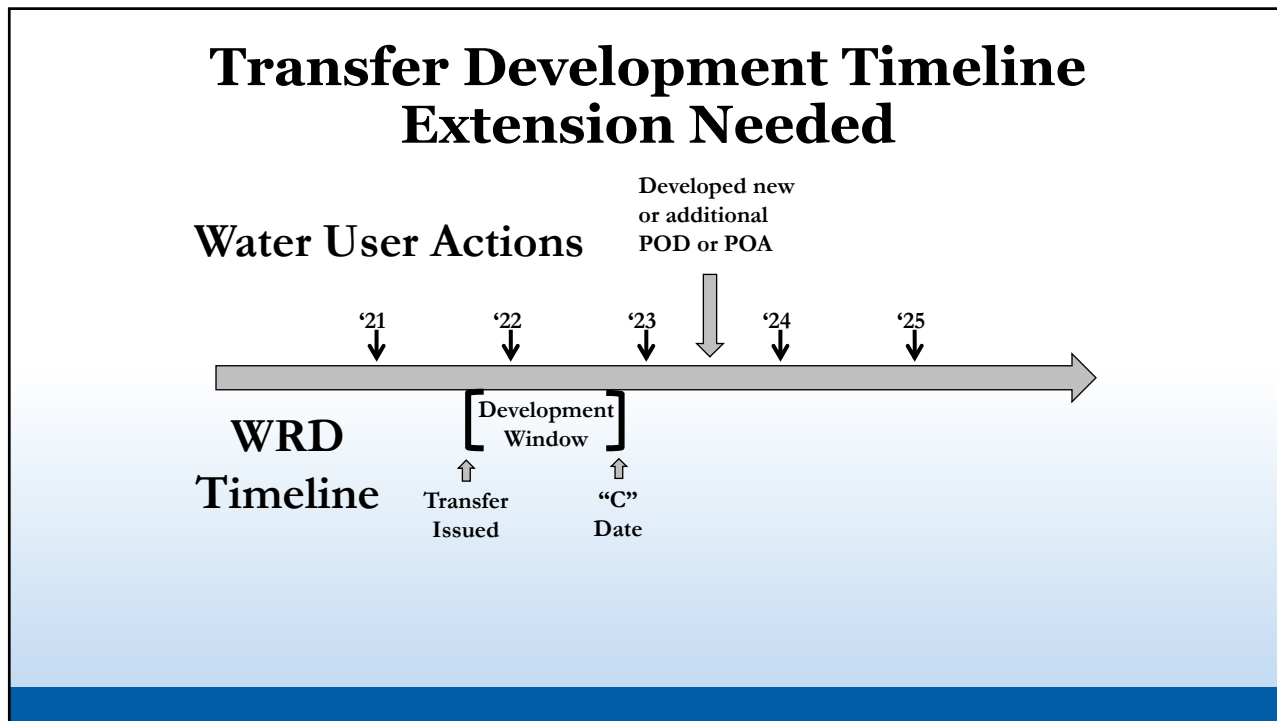
## Ideal Transfer Development Timeline



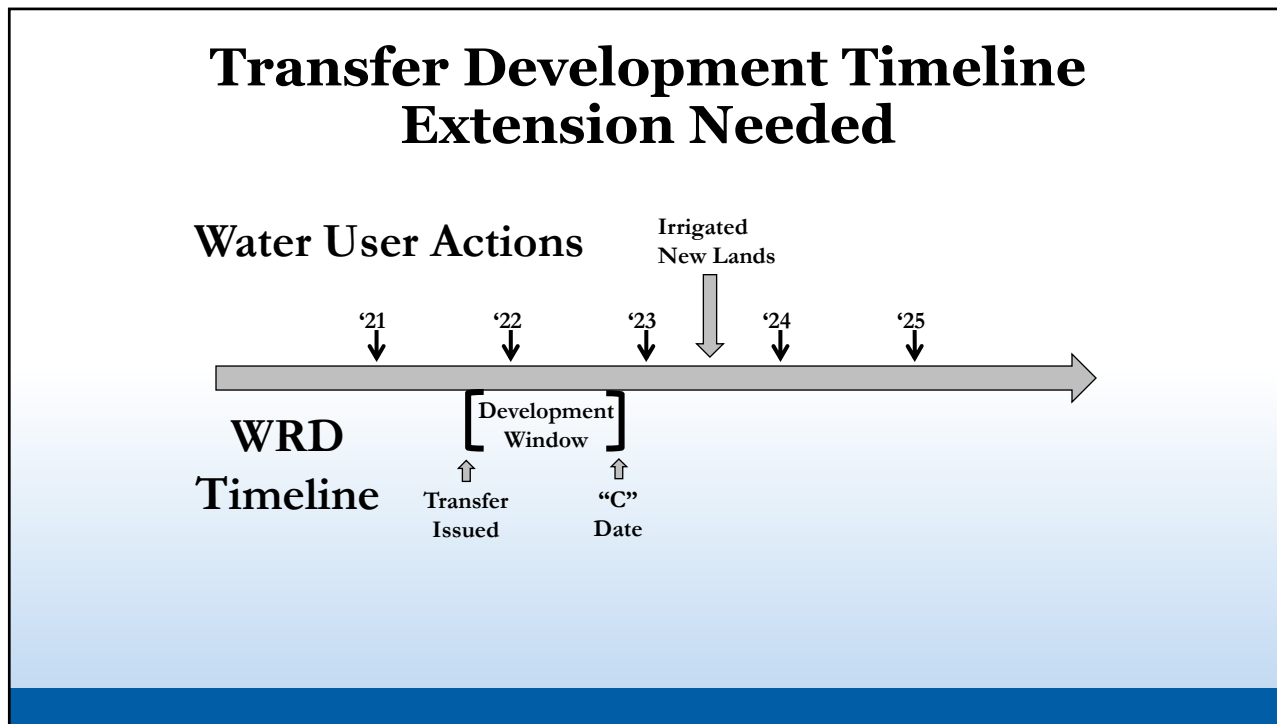
118



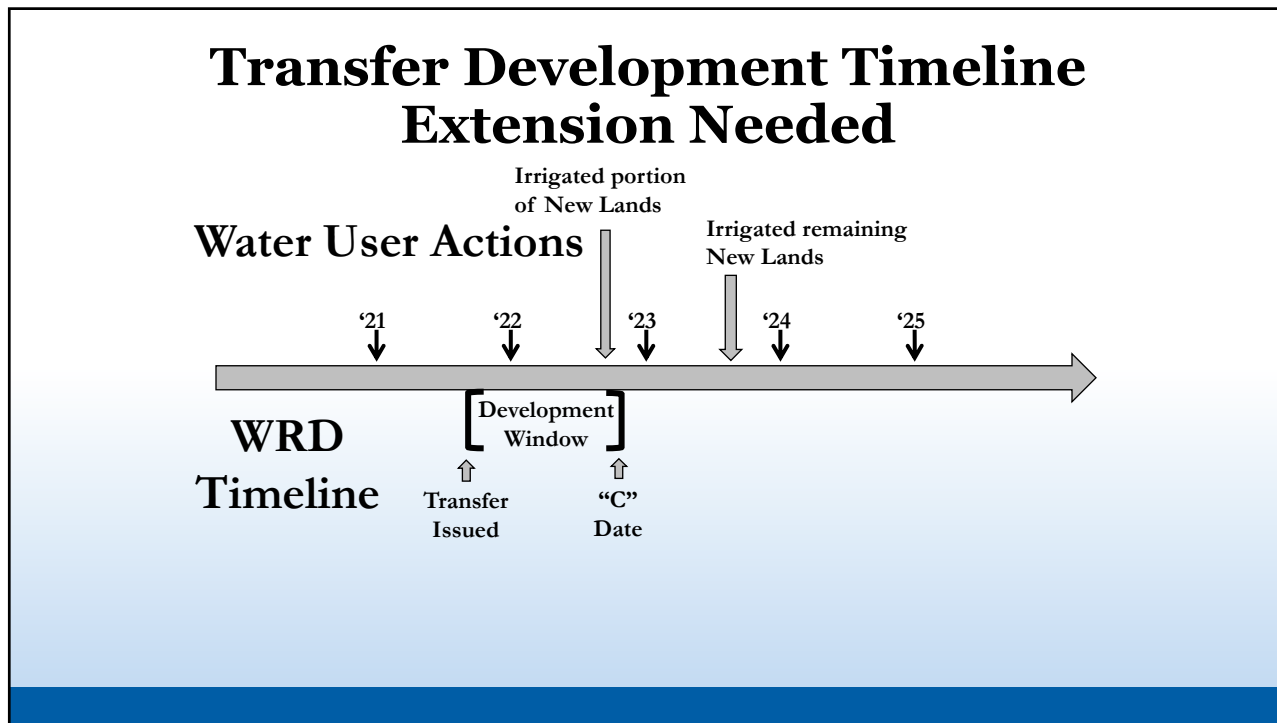
119



120



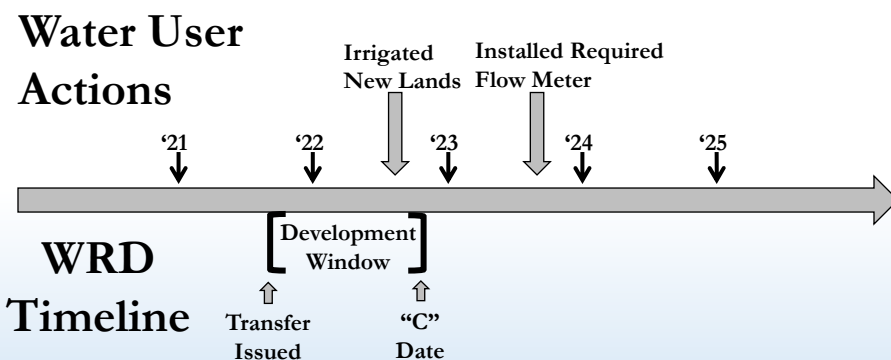
121



122



## Transfer Development Timeline Extension Needed



123



## Claim VS Extension of Time

- If you find that the water user did not complete the change or comply with conditions within the time period allowed in the transfer final order, an extension of time should be requested.
- If the Department reviews a Claim and finds that the change was not completed or conditions were not met within the authorized time period, the Department will move to cancel the transfer.

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## Tips and Reminders

### Tips, Reminders, and Examples:

- Permit Amendments
- Fees
- Signatures
- Variations
- Calculations
- Conditions and Extensions
- Mapping

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## Permit Amendments

### A note about Permit Amendments:

- A permit amendment is a process used to amend either the location of a point of diversion or appropriation and/or the place of use of a permit.
- This type of change is not a transfer.
- In completing a Claim for a permit that has been amended, you will select the Claim form from the list of Claims for permits, not transfers.

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## Fees

- Not all Claims require a fee.
- To determine whether a fee is required for a transfer, you must look at the priority date(s) of the rights modified by the transfer.

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## Claim of Beneficial Use - No Fee Required

Claims for Transfers where all the rights being modified have priority dates prior to July 9, 1987

**No Fee**

**Example** - If the transfer involves 5 rights and all rights have priority dates prior to July 9, 1987, no fee is required.

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## Claim of Beneficial Use - Fee Required

Claims for Transfers that involve a right(s) with priority dates of July 9, 1987, or later (more recent). This includes District Transfers.

**\$230.00 Fee**

**Example** - If the transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or more recent, the fee is required.


129



## Signatures

- A Claim must be signed by all transfer holders of record.
- When a Claim is submitted that has not been signed by all transfer holders of record, the Claim is returned so that the required signatures can be obtained.

130




## Signatures

A Claim must be stamped and signed by the CWRE and signed by all transfer holders of record.

**Signature page:**

- CWRE Stamp, signature and contact information.
- transfer holder(s) of record signatures.
- Missing or incorrect signatures are the number one reason for the Department returning a Claim.

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## Signatures


**Be sure this section of the Claim is complete.**

- Stamped and signed by you, the CWRE
- Signed by ***all*** transfer holders of record
  - Claim will be returned if not properly signed.
  - Include title of person signing the Claim.

**Things to look for:**

- “and”
- “or”
- Northwest Farm Credit Services

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## Signatures

Check WRIS to confirm the current transfer holder(s).

- Newer Assignments and the Assignment confirmation letters are included in WRIS under “Scanned Documents”

It may be necessary to submit an Assignment either prior to, or concurrent with the Claim.

133



## Signatures – Partial Claim

### Partial Claim

- When multiple permit holders are involved, it is possible to submit a Claim for an individual transfer holder.
- Claim must clearly identify what portion of the transfer is included in the Claim.
- Claim must identify excluded property owners.
- Claim needs to be signed only by the owners of the portion being described in the Claim.
- The Department does not process a partial Claim unless:
  - It is at least one year past the “C” Date.

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## Claims – Variations

Describe any variations from the transfer to the completed change. Examples:

- “The order allowed three new points of diversion. The water user only developed one of the points.”
- “The order authorized a change in place of use for 40 acres. The water user only developed 38 acres.”
- “The order authorized changes in character of use to industrial, commercial, and livestock. The water user did not develop the commercial use.”

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## Claims – Variations Cont.

Additionally, the Variations Section can be used to describe the following:

- Scrivener's errors in the Transfer Final Order.
- Changes in the names of the PODs or POAs

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# Claims – Calculations

- For POD or POA transfers, provide a complete description and provide theoretical calculation of each new or additional POD or POA:

**3. Motor Information**

MANUFACTURER	HORSEPOWER

**4. Theoretical Pump Capacity**

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP <small>*IF A WELL, THE WATER LEVEL DURING PUMPING</small>	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)

**5. Provide pump calculations:**

Calculations are required even if the system was operating, and a measurement was taken

**6. Measured Pump Capacity (using meter if meter was present and system was operating)**

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)

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# Claims – Calculations

- For POD or POA transfers, provide a complete description and provide theoretical calculation of each new or additional POD or POA:

**D. Gravity Flow Pipe**

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe? YES NO

*If "NO", items 2 through 4 relating to this section may be deleted.*

2. Complete the table:

PIPE SIZE	PIPE TYPE	"C" FACTOR	AMOUNT OF FALL	LENGTH OF PIPE	SLOPE	COMPUTED RATE OF WATER FLOW (IN CFS)

3. Provide calculations:

Calculations are required even if a measurement was taken

4. If an actual measurement was taken, provide the following:

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)

Attach measurement notes.

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## Claims – Calculations

- For POD or POA transfers, provide a complete description and provide theoretical calculation of each new or additional POD or POA:

**E. Gravity Flow Canal or Ditch**

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system? **YES NO**

*If "NO", items 2 through 4 relating to this section may be deleted.*

2. Complete the table:

CANAL OR DITCH TYPE (MATERIAL)	TOP WIDTH OF CANAL OR DITCH	BOTTOM WIDTH OF CANAL OR DITCH	DEPTH	"N" FACTOR	AMOUNT OF FALL	LENGTH OF CANAL / DITCH	SLOPE	COMPUTED RATE (IN CFS)

3. Provide calculations:

**Calculations are required even if a measurement was taken**

4. If an actual measurement was taken, provide the following:

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)

Attach measurement notes.



## Claims - Conditions

- The Claim must fully address compliance with conditions:

- Time Limits
- Measuring Devices
- Fish Protection Devices
- Well ID Tags
- Other Conditions



## Claims – Conditions - Time Limits

### Can you spot the problem?

All conditions contained in the transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

**1. Time Limits:**

Describe how the water user has complied with each of the development timelines established in the transfer final order and any extensions of time issued for the transfer:

	DATE FROM TRANSFER	DATE THE AUTHORIZED CHANGES WERE COMPLETED *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	September 5, 2019	
COMPLETENESS DATE FROM ORDER (C)	October 1, 2020	June 5, 2021 - New point of diversion developed, totalizing flow meter installed, and new lands irrigated.

\* MUST BE WITHIN PERIOD BETWEEN TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETE THE CHANGE

141



## Claims – Conditions - Time Limits

### Problem Identified

All conditions contained in the transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

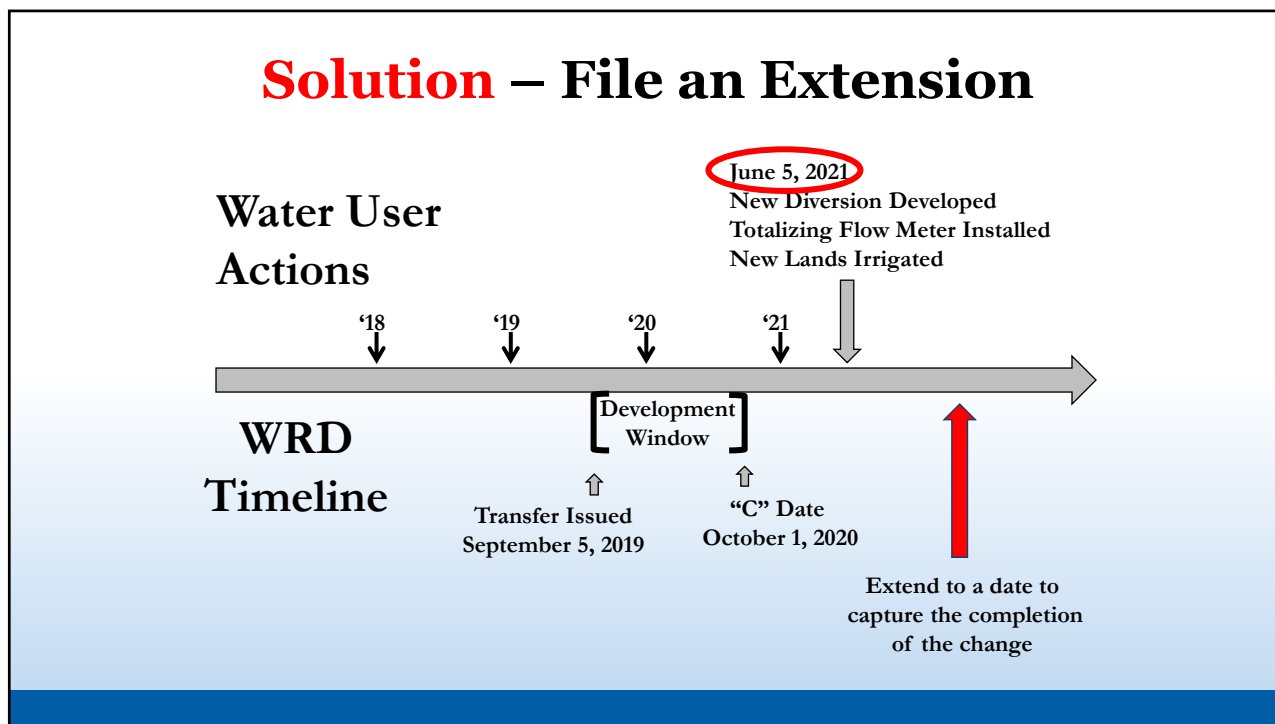
**1. Time Limits:**

Describe how the water user has complied with each of the development timelines established in the transfer final order and any extensions of time issued for the transfer:


	DATE FROM TRANSFER	DATE THE AUTHORIZED CHANGES WERE COMPLETED *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	September 5, 2019	
COMPLETENESS DATE FROM ORDER (C)	October 1, 2020	June 5, 2021 - New point of diversion developed, totalizing flow meter installed, and new lands irrigated.

\* MUST BE WITHIN PERIOD BETWEEN TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETE THE CHANGE

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### Claims – Conditions - Time Limits

## Can you spot the problem?

All conditions contained in the transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

**1. Time Limits:**

Describe how the water user has complied with each of the development timelines established in the transfer final order and any extensions of time issued for the transfer:

	DATE FROM TRANSFER	DATE THE AUTHORIZED CHANGES WERE COMPLETED <small>*THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"</small>
ISSUANCE DATE	September 5, 2018	
COMPLETENESS DATE FROM ORDER (C)	October 1, 2019	August 2019 - New lands irrigated July 2020 – Totalizing flow meter

\* MUST BE WITHIN PERIOD BETWEEN TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETE THE CHANGE

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## Claims – Conditions - Time Limits

### Problem Identified

All conditions contained in the transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

**1. Time Limits:**

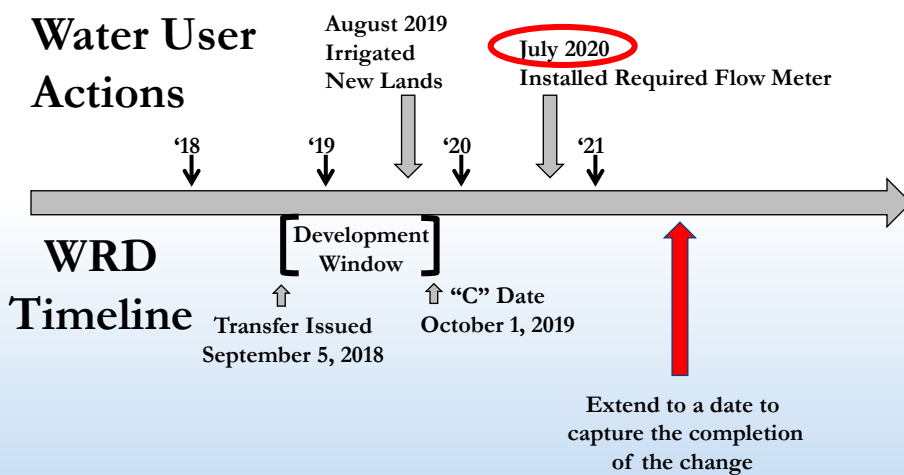
Describe how the water user has complied with each of the development timelines established in the transfer final order and any extensions of time issued for the transfer:

	DATE FROM TRANSFER	DATE THE AUTHORIZED CHANGES WERE COMPLETED *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	September 5, 2018	
COMPLETENESS DATE FROM ORDER (C)	October 1, 2019	August 2019 - New lands irrigated July 2020 - Totalizing flow meter

\* MUST BE WITHIN PERIOD BETWEEN TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETE THE CHANGE

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### Solution – File an Extension



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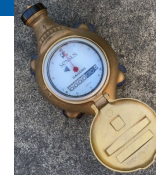


## Claims – Measuring Devices

What measurement device is required?

- Meter vs Totalizing Flow Meter

- Totalizing flow meter is specific
  - Must be a totalizing flow meter
- Meter is generic
  - Could be:
    - Dedicated electrical meter
    - Instantaneous flow meter
    - Totalizing flow meter
    - Hour meter on a generator



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## Claims – Measuring Devices

What measurement device is required?

- Other suitable measuring devices:

- Require approval by Watermaster
  - Example – A reservoir permit that requires a meter or other suitable measuring device. Watermaster would need to approve a Staff Gage.



- Key questions to ask:

- When was the original measuring device installed? Is this a replacement device?

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## Claims – Flow Restrictors

What is a Flow Restrictor?

- A flow restrictor is simply a device that is placed in-line to restrict the flow to the amount of water diverted to ensure that the authorized rate of use is not exceeded.
- A flow restrictor is not a measuring device.
- Examples:
  - An appropriated sized pipe to restrict the flow. Tip - Water user can contact a pump service to help with the design and installation of an appropriately sized pipe to restrict the flow to the authorized rate.
  - A ball valve placed in line that be used to calibrate and reduce the rate to that authorized under the right.

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## Flow Restrictors and Measuring Devices

You may find a transfer final order require that both a totalizing flow meter and a flow restrictor be installed.

- Because a flow restrictor is not a measuring device, the permit holder would be required to install both devices in order to comply with this condition.

150



## Claims - Fish Protection Conditions

- Most likely will require Oregon Department of Fish and Wildlife approval or waiver in writing.
- For some older transfers the water user may be able to self-certify the fish screen:
  - Must be for a pumped diversion;
  - Developed pumping capacity must be less than 225 gpm;
  - Only applies to transfers issued prior to February 1, 2011.

151

## Claim of Beneficial Use Mapping Reminders/Examples

152



## Mapping Nursery Use

- In the event that someone has changed the place of use for a nursery use right, or has been issued a final order that allowed for a change in character of use to nursery and a change in place of use, the mapping of the developed place of use for Nursery Use should include only those areas where the water was used for a Nursery related use:

OAR 690-300-0010(30) "Nursery Operations Use" means the use of water for operation of a commercial nursery which may include *temperature control, watering of containerized stock, soil preparation, application of chemicals or fertilizers, watering within greenhouses and uses to construct, operate and maintain nursery facilities. The use of water within plant nursery operations constitutes a different use from field irrigation, although that may be a part of nursery use.* If used for field irrigation for nursery stock, such use is not restricted to the defined agricultural irrigation season.

- Nursery Use is essentially irrigation use, agricultural use, and temperature control use all merged into one use.
- Because there is an irrigation component in "Nursery Use", the place of use must quantify the number of acres within the areas(s) where water was used.

153



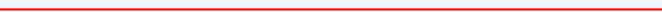
## Mapping Nursery Use

### Nursery Use – Where Water Was Used

Assume the following:

Permit issued for 10 acres of Nursery Use.

Tax Lot 3100 is 10.0 acres.


At the time of the Inspection following the "C" Date, this is what you find. 

Where was water used for Nursery Use?



154






## Mapping Nursery Use

**Nursery Use – Where was water used?**

In-Ground Irrigation →

In-Ground Irrigation →



← Equipment Storage and Maintenance Yard


← Production Facility

← Greenhouse

← Production Facility

Total acres where water is used for Nursery Use is approximately 2.0 acres

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## Common Map Issues

- Here is a list of the most common mapping issues:
  - Maps not submitted on polyester film;
  - Scrivener's errors in application, permit, certificate or transfer numbers referenced on the map;
  - Scrivener's errors in the township, range and section on the map;
  - Scrivener's errors in the coordinates for points of diversion or appropriation;

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## Common Map Issues Cont.

- Common mapping issues continued:
  - Measurement devices not identified on map;
  - Fish protection devices not identified on map;
  - Donation Land Claims and Government Lots not identified, and acreages not designated within projected quarter quarters; and
  - Maps not at authorized scale without an approved waiver request.
  - Map does not clearly identify the quarter quarter where the place of use or point of diversion/appropriation are located.

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## Common Map Issues Cont.

- Common mapping issues continued:
  - Map identifies more acres than were authorized by the transfer.
  - The footprint of the supplemental irrigation falls outside of the footprint of the primary right that it is associated with.
    - The supplemental acres must match the footprint, or fall within the boundary, of the primary water right.

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## Claim Map Coordinates

- Two acceptable location measurement descriptions for the point of diversion/appropriation:
  1. Bearing and distance by reference to a recognized public land survey corner; or
  2. Coordinates - distance north or south and distance east or west by reference to a recognized public land survey corner.
- See OAR 690-014-170 and OAR 690-310-050

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## GPS Coordinates

GPS coordinates are not authorized as the sole identifier for the location of a point of diversion, well, or dam in the Rules pertaining to CBU Maps (Division 14 and Division 310).

OAR 690-310-050(4) allows for any locational coordinate information that the applicant may wish to provide, including latitude and longitude as established by a global positioning system in addition to bearing and distance or coordinates (distance north or south and distance east or west from the reference corner).

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## Claim Map Coordinates

- Point of Diversion or Point of Appropriation descriptions by coordinates on Claim map.
  - Should the location of a POD or POA be describes using cardinal directions or as distances along section, donation land claim, quarter quarter, or government lot lines?
  - Cardinal directions should be used to identify the location of the POD or POA.

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## Government Lots and DLCs

- The map must include Government Lots and Donation Land Claims, if applicable.
- Attach copies of the maps you used to lay out the section(s) where the use or point of diversion/appropriation is located.
- Copies of the Government Land Office records (GLOs) can be found through the Bureau of Land Management's web site at:
  - [www.blm.gov/or/landrecords/survey/ySrvy1.php](http://www.blm.gov/or/landrecords/survey/ySrvy1.php)

162



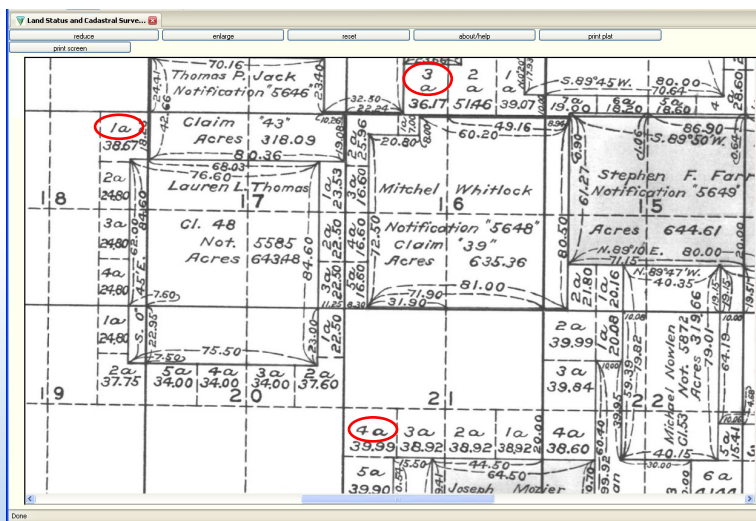
# DLCs



163



# Government Lots



164



## Mapping Multiple Rights

- In the case of a transfer involving multiple rights, be sure to differentiate between the various rights involved in the transfer.
  - Important because:
    - Different priority dates;
    - Different rights;
    - Different PODs or POAs; and
    - Different sources

165



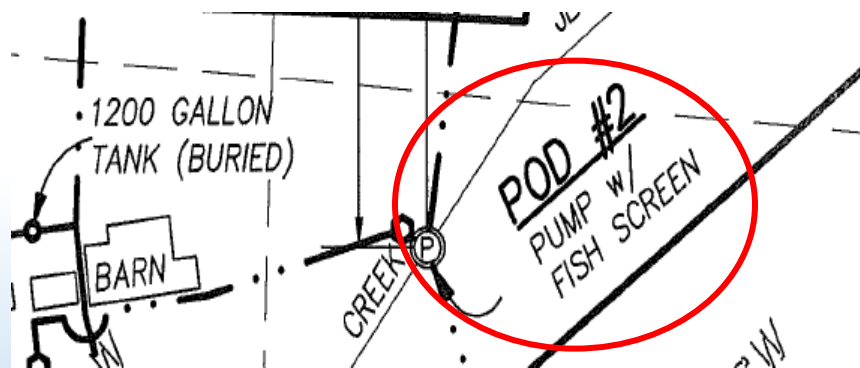
## Fish Screens and Measurement Devices

- The location of any required fish screens, fish by-pass devices, or fish passage devices are required to be identified on the Claim map in relationship to the point of diversion.
- The location of any required measurement devices are required to be identified on the Claim map in relationship to the point of diversion or appropriation.

166



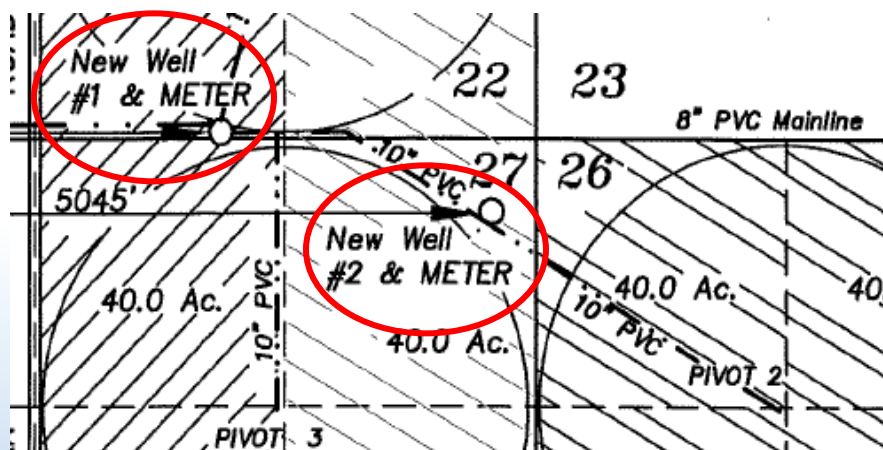
# Fish Screens



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# Meters and Measuring Devices



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## Summary – Claim Form

- Claims for a Transfer only need to describe the change or changes authorized under the transfer final order;
- Completion of a change for a transfer involves both the timely completion of the change along with timely compliance to the conditions of the transfer;
- The Claim must address each condition of the transfer final order;

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## Summary – Claim Form

- Claim forms can be found on our Forms Page:

An official website of the State of Oregon [How you know it](#)

OREGON.GOV Home About Us Access Data/Maps **Forms** Programs Publications and Reports Newsroom Online Payments

Forms

All Agency Forms (PDF)

This fee schedule updates the fee schedule from the application guidebooks that accompany the new application forms or you may use our online fee estimator to estimate fees.

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Right click on the document and click "Save as Target" to download.

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<a href="#">Claim of beneficial use for Transfer with Multiple Changes – Surface Water and Groundwater</a>	Claims of Beneficial Use	Modify, Move, Change, COBU	<a href="#">Link</a>

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## Summary – Claim Form

- If ownership of the lands involved has changed, an Assignment may be necessary in order to file the Claim; and
- Always download the most current version of the Claim form when beginning a new project.

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## Summary – Claim Map

- The map must be prepared on polyester film map;
- The map must include Government Lots, Donation Land Claims, or Home Entry Surveys;
- The map must identify the tax lots, by both the unique tax lot number(s) and location;
- If you need a different map scale, request a waiver;

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## Summary – Claim Map

- The map must include the location of any required fish protection devices;
- The map must include the location of any required measurement devices; and
- The map must differentiate between the various rights involved in the transfer, and, if necessary, also by:
  - Different priority dates; and
  - Different sources

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## Certificate Section Contacts

- **Questions? Please contact our Certificate Staff:**
  - **Gerry Clark at 503-979-9103 or by email at [gerald.e.clark@water.oregon.gov](mailto:gerald.e.clark@water.oregon.gov)**
  - **Jonnine Skaug at 503-979-3943 or by email at [Jonnine.L.SKAUG@water.oregon.gov](mailto:Jonnine.L.SKAUG@water.oregon.gov)**
  - **Codi Holmes at 503-979-3184 or by email at [Codi.N.HOLMES@water.oregon.gov](mailto:Codi.N.HOLMES@water.oregon.gov)**

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## Claim of beneficial Use Map and Report Requirements with Oregon Administrative Rule (OAR) References

### Map Requirements:

- \_\_\_\_\_ Map on polyester film (OAR 690-014-0170(1) & OAR 310-0050(1)(b))
- \_\_\_\_\_ Application & permit #; or transfer # (OAR 690-014-0100(1))
- \_\_\_\_\_ Disclaimer (OAR 690-014-0170(5))
- \_\_\_\_\_ North arrow (OAR 690-310-0050(2)(c))
- \_\_\_\_\_ CWRE stamp and signature (OAR 690-014 & OAR 310-0050)
- \_\_\_\_\_ Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (OAR 690-014(170(1))
- \_\_\_\_\_ Township, range, section, and tax lot numbers (OAR 690-310-0050(4))
- \_\_\_\_\_ Source illustrated if surface water (OAR 690-014-0170(3))
- \_\_\_\_\_ Point(s) of diversion or appropriation (illustrated) (OAR 690-014(4) & OAR 690-310-0050)
- \_\_\_\_\_ Point(s) of diversion or appropriation (coordinates)(OAR 690-014(4) & OAR 690-310-0050)
- \_\_\_\_\_ Conveyance structures illustrated (pump, pipelines, ditches, etc.) (OAR 690-310-0050)
- \_\_\_\_\_ Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices, and measuring devices required (OAR 690-014(4))
- \_\_\_\_\_ Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision; if for domestic or human consumption, location of dwelling or spigot) (OAR 690-310-0050, OAR 690-014, OAR 690-380-6010(4))

### Report Requirements:

- \_\_\_\_\_ On form or format provided by the Department (OAR 690-014-0100(1))
- \_\_\_\_\_ Application & permit #; or transfer # (OAR 690-014)
- \_\_\_\_\_ Ownership information (OAR 690-014)
- \_\_\_\_\_ Date of survey (OAR 690-014(1)(l))
- \_\_\_\_\_ Person interviewed (OAR 690-014)
- \_\_\_\_\_ County (OAR 690-014)
- \_\_\_\_\_ Description of conveyances system (from POD to POU) (OAR 690-014-0100(4))
- \_\_\_\_\_ Source(s) of water (OAR 690-014-0100(1)(f))
- \_\_\_\_\_ Use, period of use, and rate for use (OAR 690-014-0100(1))
- \_\_\_\_\_ Place of use location (OAR 690-014-0100(1)(c))
- \_\_\_\_\_ Type of use (OAR 690-014-0100(1)(a))
- \_\_\_\_\_ Extent of use (OAR 690-014-0100(1)(d))
- \_\_\_\_\_ Rate and Duty (OAR 690-014-0100(1)(g))
- \_\_\_\_\_ Diversion rate for each use (OAR 690-014-0100(7))
- \_\_\_\_\_ Diversion works description (pump make, serial model, capacity, and description) (OAR 690-014-0100)
- \_\_\_\_\_ System capacity (OAR 690-014-0100 (8 & 9))
  - \_\_\_\_\_ Calculated capacity of system (required)
  - \_\_\_\_\_ Measured amount of use (optional)
- \_\_\_\_\_ Permit/Transfer Final Order Conditions (OAR 690-014-01009(1))
  - \_\_\_\_\_ Time limits
  - \_\_\_\_\_ Initial water level measurements
  - \_\_\_\_\_ Annual static water level measurements
    - Measurement, recording, and reporting
      - \_\_\_\_\_ Meter/measuring device
      - \_\_\_\_\_ Water use reporting
  - \_\_\_\_\_ Fish screening and/or by-pass
  - \_\_\_\_\_ Pump test (ground water) (OAR 690-217)
  - \_\_\_\_\_ Other conditions
    - \_\_\_\_\_ Static Water Level Measurements (SWL)
    - \_\_\_\_\_ Special Well Construction Conditions
    - \_\_\_\_\_ Static Water Level Measurements (SWL)
    - \_\_\_\_\_ Dedicated Measurement Tube (Well)
    - \_\_\_\_\_ Well ID Tag
- \_\_\_\_\_ CWRE stamp and signature (OAR 690-014-0100)
- \_\_\_\_\_ Signature(s) of permittee of transfer holder (OAR 690-014-0100(14 & 15))

## CERTIFIED WATER RIGHT EXAMINERS

### Chapter 690 Division 14

690-014-0005

#### Introduction

(1) The purpose of these rules is to establish the criteria for certification of Water Right Examiners. They also define the minimum standards and criteria under which Certified Water Right Examiners shall conduct surveys to describe the extent of appropriation for beneficial use of public waters. The rules also describe the information required and procedure for preparing maps to accompany transfer applications. These rules are in addition to OAR 690, divisions 020, 051, 300, 310 and 380.

(2) These rules shall not deprive or limit the Director of the Water Resources Department or the Water Resources Commission from exercising powers or duties bestowed by law. Nor shall they limit or restrict the information the Director or Commission may require from any water user or authorized agent to determine satisfactory proof.

(3) The authority for these rules are found in ORS Chapters 183, 536, 537, and 540, and in particular ORS 537.797 to 537.799.

(4) These rules shall apply to Claims of Beneficial Use submitted on or after July 1, 2004. Claims of Beneficial Use submitted before this date shall be subject to the rules in effect at the time of submittal.

Statutory/Other Authority: ORS 536 & 537

Statutes/Other Implemented: ORS 536 & 537

History:

WRD 3-2004, f. 6-15-04, cert. ef. 7-1-04

WRD 3-1988, f. 2-26-88, cert. ef. 2-28-88

WRD 9-1987(Temp), f. & ef. 9-1-87

690-014-0020

#### Definitions

The definitions found in Oregon Administrative Rules chapter 690, divisions 300 and 380, apply. The following definitions also apply:

(1) "Acre-Foot (AF)" means the equivalent volume of one acre covered with one foot of water (325,851 gallons).

(2) "Certified Water Right Examiner" or "CWRE" means any individual certified by OSBEELS to collect and report data and conduct surveys to describe the extent of appropriation for Claims of Beneficial Use, and also to prepare maps for transfer applications.

(3) "Claim of Beneficial Use" means documents submitted to the Department requesting a certificate of water right be issued for the authorized use or uses made. These documents shall include the report of the site inspection, calculations for the rate of flow, and the map illustrating the location of beneficial use made within the terms of the permit or transfer final order.

- (4) "Commission" means the Water Resources Commission.
- (5) "Cubic Foot per Second (cfs)" means a rate of water flow, equal to 448.83 gallons of water per minute.
- (6) "Department" means the Water Resources Department.
- (7) "Director" means the Director of the Department or the Director's authorized deputies or officers.
- (8) "Measuring Device" means a structure or apparatus such as a weir, meter, or flume to determine rate of flow or volume of water.
- (9) "OAR" means Oregon Administrative Rules.
- (10) "ORS" means Oregon Revised Statutes.
- (11) "OSBEELS" means Oregon State Board of Examiners for Engineering and Land Surveying.
- (12) "Rate and Duty of Water" means the flow of water expressed in cfs or gallons per minute (instantaneous rate) and the volume of water expressed in AF (duty) as allowed in the permit or transfer final order.
- (13) "Spring" means a place where water naturally emerges from the ground.
- (14) "Source" means the surface or ground water body for each point of diversion or point of appropriation involved in a permit or transfer final order.
- (15) "Survey of Appropriation" means the field inspection and document preparation performed by a CWRE to obtain the data necessary to support the Claim of Beneficial Use.
- (16) "Water Rights Act" means the same as defined by ORS 537.010.
- (17) "Well" means any artificial opening or artificially altered natural opening, however made, by which ground water is sought or through which ground water flows under natural pressure, or is artificially withdrawn or injected. This definition shall not include a natural spring, or wells drilled for the purpose of exploration or production of oil or gas. Prospecting or exploration for geothermal resources as defined in ORS 522.005 or production of geothermal resources derived from a depth greater than 2,000 feet as defined in ORS 522.055 is regulated by the Department of Geology and Mineral Industries.

Statutory/Other Authority: ORS 536 & 537

Statutes/Other Implemented: ORS 536 & 537

History:

WRD 3-2004, f. 6-15-04, cert. ef. 7-1-04

WRD 3-1988, f. 2-26-88, cert. ef. 2-28-88

WRD 9-1987(Temp), f. & ef. 9-1-87

690-014-0030

#### Certified Water Right Examiner Required

The water user or person responsible for a permit, transfer application, or transfer final order must have a CWRE prepare:

- (1) The map for a transfer application.
- (2) The Claim of Beneficial Use if the permit or transfer application was filed after July 9, 1987.

Statutory/Other Authority: ORS 536 & 537

Statutes/Other Implemented: ORS 536 & 537

History:

WRD 3-2004, f. 6-15-04, cert. ef. 7-1-04

WRD 3-1988, f. 2-26-88, cert. ef. 2-28-88

690-014-0050

#### Certification of Water Right Examiners

CWREs shall be certified by OSBEELS. In addition to these rules, OSBEELS rules found in OAR 820 apply.

- (1) CWRE applicants shall be registered in Oregon as a professional engineer, professional land surveyor or registered geologist.
- (2) To become a CWRE, an applicant shall pass a written examination administered by OSBEELS and approved by the Department to determine the applicant's ability to properly perform the surveying, mapping, hydraulic computations, and information gathering duties required by ORS 537.798.
- (3) All documents, drawings, or narratives required by these rules shall be prepared by or under the direct supervision of a CWRE. These items shall bear the seal and original signature of the CWRE.

Statutory/Other Authority: ORS 536 & 537

Statutes/Other Implemented: ORS 536 & 537

History:

WRD 3-2004, f. 6-15-04, cert. ef. 7-1-04

WRD 3-1988, f. 2-26-88, cert. ef. 2-28-88

WRD 9-1987(Temp), f. & ef. 9-1-87

690-014-0080

#### Revocation of Certified Water Right Examiner's Certificate

CWREs may be decertified by OSBEELS for violation of OAR 690, division 014 rules or violation of OAR 820 rules.

- (1) Any violation of these rules by a CWRE and brought to the attention of the Director by Department staff, the public, or other means may be submitted to OSBEELS. A material misstatement of fact shall be referred to OSBEELS for disciplinary action.
- (2) Revocation of the CWRE's certificate does not in itself cause forfeiture of that person's other professional licenses or credentials.

Statutory/Other Authority: ORS 536 & 537

Statutes/Other Implemented: ORS 536 & 537

History:

WRD 3-2004, f. 6-15-04, cert. ef. 7-1-04

WRD 3-1988, f. 2-26-88, cert. ef. 2-28-88

690-014-0090

Maps for Transfer Applications

Application maps for transfer shall comply with ORS Chapters 536, 537, and 540, and OAR 690, divisions 020 and 380.

Statutory/Other Authority: ORS 536 & 537

Statutes/Other Implemented: ORS 536 & 537

History:

WRD 3-2004, f. 6-15-04, cert. ef. 7-1-04

690-014-0100

Minimum Requirements for Claims of Beneficial Use for Permits and Transfer Final Orders

(1) The CWRE shall prepare a report, using a form or format provided by the Department, which describes the status of conditions and limitations in permits and transfer final orders such as:

- (a) Type of use;
- (b) Period of use;
- (c) Place of use;
- (d) Extent of use;
- (e) Location of point of diversion or point of appropriation;
- (f) Source of water;
- (g) Rate;
- (h) Installation of measuring device;
- (i) Water use reporting;
- (j) Water level reporting;
- (k) Fish screening;
- (l) The date of the inspection; and
- (m) All other conditions or limitations.

(2) The CWRE shall provide the Department with sufficient information for the Director to determine the extent of beneficial use developed within the conditions or limits of the permit or transfer final order, including any specified development time limits.

(3) Uses partially developed by the water user shall be described. Uses or areas which were not developed shall be noted. Uses determined to exist which are not authorized by the permit or transfer final order being examined shall also be noted in the report but not included as part of the Claim of Beneficial Use. All uses shown on the map must be described in the report.

(4) The diversion works shall be accurately described by the map and report. A general narrative description of the distribution works shall be given. This description must trace the water system from the point(s) of diversion or appropriation to, and include the place of use. The description shall also include the return to public waters when required by the permit or transfer final order, such as fish propagation, mining and power facilities. The make, capacity, serial number and description of all pumps and measuring devices shall, if available, be described in the report. If the make, capacity, serial number and description of any pumps and measuring devices are not available, the report must specify why.

(5) Other water right permits, certificates, transfer final orders, or other conveyance systems connected to the system being examined shall be described in the report. Any reservoir, diversion dam, headgate, well, canal, flume, pump, and other related structures shall be described.

(6) The crops raised or other beneficial use made of the water shall be identified.

(7) The diversion rate shall be determined for each use and source when more than one use or source is involved.

(8) The maximum rate of use shall be determined by actual measurement when possible. Water measurements may be made by weir, meter, rated flume, reservoir capacity table or other method of measurement acceptable to the Department. The report shall describe the method used in making the measurement, the date made and a description of the location where the measurement was taken. It shall contain sufficient information, including current meter notes, rating tables, and/or calibration information to enable the Director to check the quantity of water measured in each case.

(9) Computations for the maximum capacity of the system shall be submitted for all claims. These computations may suffice to determine the maximum rate of application if the system was not operating when the inspection was conducted.

(10) The amount of water shall be limited by the Department to the lesser of: the authorized amount, the capacity of the delivery system, or the amount of actual beneficial use. The Claim of Beneficial Use shall include sufficient information to make the determination.

(11) Claims of Beneficial Use for reservoir permits, for storage of less than 9.2 acre-feet of water or with a dam less than 10 feet in height, that do not require approved as-built plans and specifications be on file with the Department, shall also include the following:

(a) A drawing showing the cross section of the dam at maximum section showing complete details and dimensions. The drawing should be drawn at a standard scale. Normally this measurement is taken from the deepest part of the channel to the top of the embankment. Vertical accuracy is required to 0.25 feet for the purpose of this measurement;

(b) A description of the outlet works; and

(c) A description of the emergency spillway.



(12) The rate of flow shall be determined to three significant figures with reporting necessary only to thousandths. Examples are: 4,560 cfs; 456 cfs; 45.6 cfs; 4.56 cfs; 0.456 cfs; 0.046 cfs; and 0.005 cfs.

(13) When computing the storage capacity of reservoirs, the volume of water shall be determined to three significant figures with reporting, for the purpose of the Claim of Beneficial Use, necessary only to tenths. Examples are: 4,560 af; 456 af; 45.6 af; 4.6 af; and 0.5 af.

(14) The following statement, signed by the CWRE, shall appear at the end of the Claim of Beneficial Use: "The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge."

(15) The following statement, signed or acknowledged by the permittee or transferee, shall appear at the end of the Claim of Beneficial Use: "The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate."

(16) A CWRE may make a written request to the Director for a waiver of one or more of the Claim of Beneficial Use standards. Waivers cannot be requested for elements relating to conditions or other limitations of the permit or transfer final order. The Director will determine whether the waiver shall be allowed and will respond to such requests in writing.

Statutory/Other Authority: ORS 536 & 537

Statutes/Other Implemented: ORS 536 & 537

History:

WRD 3-2004, f. 6-15-04, cert. ef. 7-1-04

WRD 3-1988, f. 2-26-88, cert. ef. 2-28-88

WRD 9-1987(Temp), f. & ef. 9-1-87

690-014-0110

Claim of Beneficial Use: General Standards

The Claim of Beneficial Use shall be prepared by a CWRE and submitted by the holder of the permit or transfer final order or by an authorized agent.

(1) In addition to the rules of professional conduct found in OAR 820, CWREs should be aware of the public interest regarding Examiners' investigations of water use. Uses not authorized or not completed within the terms of the permit or transfer final order, or water not beneficially used, shall not be included in the Claim of Beneficial Use. Claims of Beneficial Use shall not violate any of the provisions of the Water Rights Act or these rules.

(2) All Claims of Beneficial Use shall be made to match with existing water rights of record, unless an error in the original location is identified. If an error in an existing water right record is found, then evidence of the correct location as it pertains to the current claim shall be submitted to the Department as part of the Claim of Beneficial Use.

(3) The Director may refuse to accept Claims of Beneficial Use which do not conform to these rules and regulations.

(4) The form or format provided by the Department for Claim of Beneficial Use shall question whether beneficial use was made. If the permittee or transferee claims that beneficial use was made, the claim must be supported with a sufficient description of the use prepared by the CWRE to enable the Department to decide if beneficial use was made under the terms and conditions of a permit or transfer final order.

(5) Follow up inspections may be made by the Department.

Statutory/Other Authority: ORS 536 & 537

Statutes/Other Implemented: ORS 536 & 537

History:

WRD 3-2004, f. 6-15-04, cert. ef. 7-1-04

690-014-0170

Minimum Requirements for Maps for Permit or Transfer Final Order Claims of Beneficial Use

(1) Maps submitted as part of the Claim of Beneficial Use shall be drawn in ink on at least 0.003-inch polyester film and otherwise conform to all the requirements for application maps as noted in OAR 690-310-0050. If for irrigation, the area cross-hatched shall not exceed the total acreage authorized in the permit or transfer final order involved. More than one permit or transfer may be entered on the same map if clearly identified by different cross-hatching. The map scale shall be 1" = 1320', 1" = 400', or the original full-size scale of the county assessor map for the location. The preferred map size is 8 1/2" x 11". The maximum size shall be 30" x 30" unless prior approval is obtained from the Department. Standard symbols shall be used as indicated in Department handouts.

(2) Horizontal accuracy is required only to ten feet for the purpose of locating and quantifying water rights. Maps shall be developed from any standard survey method. Traverse closures are not required.

(3) Maps shall clearly designate the place of use and point of diversion or appropriation for each source and use. Maps for permits or transfer final orders involving surface water must illustrate the source.

(4) The map shall indicate by description, in relation to the point of diversion or appropriation, the location of any fish screens, by-pass devices, and measuring devices required by the permit or transfer final order.

(5) The following statement shall be placed on the map: "This map is not intended to provide legal dimensions or locations of property ownership lines."

(6) Maps depicting municipal place of use need only show the township, range, section, and quarter-quarter sections where use has occurred under the subject permit. The scale for a municipal place of use map should be sufficient to identify the quarter-quarters involved in the place of use.

(7) A CWRE may make a written request to the Director for a waiver of one or more mapping standards. The Director will determine whether the waiver shall be allowed and will respond to such requests in writing.

Statutory/Other Authority: ORS 536 & 537

Statutes/Other Implemented: ORS 536 & 537

History:

WRD 3-2004, f. 6-15-04, cert. ef. 7-1-04  
WRD 3-1988, f. 2-26-88, cert. ef. 2-28-88

690-014-0190

#### Time Limit for Filing Claim of Beneficial Use

The Claim of Beneficial Use shall be submitted to the Department within one year after the use was reported to the Department as being complete or the beneficial use date allowed in the permit or transfer final order, whichever occurs first. Failure to comply with this section shall cause the Director to initiate permit cancellation proceedings as provided by ORS 537.260.

Statutory/Other Authority: ORS 536 & 537

Statutes/Other Implemented: ORS 536 & 537

History:

WRD 3-2004, f. 6-15-04, cert. ef. 7-1-04  
WRD 3-1988, f. 2-26-88, cert. ef. 2-28-88

690-014-0220

#### Time Limit to Cure Defects in a Claim of Beneficial Use

A Claim of Beneficial Use which needs corrections or additions shall be returned to the CWRE to correct the deficiencies. The corrected claim shall be returned to the Department within the written time limit allowed. The time allowed will be determined by the Director, but shall not be less than 30 days. Any claims not returned within the specified time may result in the Director submitting the name and certificate number of the CWRE involved to OSBEELS for disciplinary action.

Statutory/Other Authority: ORS 536 & 537

Statutes/Other Implemented: ORS 536 & 537

History:

WRD 3-2004, f. 6-15-04, cert. ef. 7-1-04  
WRD 3-1988, f. 2-26-88, cert. ef. 2-28-88

## WATER RIGHT APPLICATION PROCESSING

### Division 310

690-310-0050

Map to Accompany Application for Water Use Permit

(1) Each application shall be accompanied by a map or drawing which shall be considered a part of the application.

(2) Maps submitted with water use applications shall meet the following criteria:

(a) The application map, which is made part of the record, shall be of permanent quality and drawn in ink or otherwise printed in an indelible form with sufficient clarity so as to be easily reproduced;

(b) Maps shall be drawn on good-quality paper. If the map is larger than 11 inches by 17 inches, one additional copy must be submitted;

(c) All maps shall be drawn to a standard, even scale of not less than 4 inches = 1 mile. The map may be of another standard scale if the Department grants, by mail or electronic means, advance approval of the use of the scale. All maps must include the scale to which the map is drawn and a north directional symbol.

(3) A platted and recorded subdivision map, deed description survey map or county assessor map may be submitted as the application map if all of the required information is clearly shown.

(4) Each copy of the map shall show clearly each of the following requirements that apply to the proposed appropriation:

(a) The location of each diversion point, well, or dam by reference to a recognized public land survey corner. The locations may be shown by distance and bearing or by coordinates (distance north or south and distance east or west from the corner);

(b) The location of main canals, ditches, pipelines, or flumes;

(c) The location of the place where water is to be used identified by tax lot, township, range, section and nearest quarter-quarter section along with a notation of the acreage of the proposed place of use, if appropriate. The Department also shall accept any locational coordinate information that the applicant may wish to provide, including latitude and longitude as established by a global positioning system. If for irrigation, the area to be irrigated in each quarter-quarter of a section shall be indicated by shading or hatching and the number of acres in each quarter-quarter section, donation land claim, government lot or other recognized public land survey lines indicated.

Type of Change ( <b>Single</b> )	Claim Report	Map - POD/POA	Map - POU	Possible Results of the CBU review
New POD/POA	Only describe new POD/POA Compliance with conditions	Identify new POD/POA location by survey	Identify POU using record data at time of transfer final order (no new survey required)	Reduction in instantaneous rate if new POD/POA cannot produce the full rate authorized
Additional POD/POA	Only describe additional POD/POA Compliance with conditions	Identify additional POD/POA location by survey Identify original POD/POA location using record data at time of transfer final order (no new survey required)	Identify POU using record data at time of transfer final order (no new survey required)	Reduction in instantaneous rate of the additional POD/POA only if it cannot produce the full rate authorized  Original POD/POA will remain at the rate authorized by the transfer final order
Change in POU only	Only describe the extent of the new POU Compliance with conditions	Identify original POD/POA location using record data at time of transfer final order (no new survey required)	Identify new POU based on a new survey of location	Reduction in the POU if fewer acres or limited POU developed following issuance of the transfer final order  Possible reduction in instantaneous rate based on the authorized rate limit from original right (1/40, 1/80, etc)
Character of use change only	Only describe the date that the new use made Compliance with conditions	Identify original POD/POA location using record data at time of transfer final order (no new survey required)	Identify POU using record data at time of transfer final order (no new survey required)	Most likely no changes from transfer order
Reservoir character of use change only	Only describe the date that storage was made for the new use Reservoir capacity does not need to be determined Compliance with conditions	Identify original POD/POA location using record data at time of transfer final order (no new survey required)	Identify POU using record data at time of transfer final order (no new survey required)	Most likely no changes from transfer order

POD – Point of Diversion

POA – Point of Appropriation

POU – Place of Use

CBU – Claim of Beneficial Use

New POD/POA and New POU

Types of Changes <b>(Multiple)</b>	Claim Report	Map - POD/POA	Map - POU	Possible Results of the CBU review
New POD/POA	Describe new POD/POA Compliance with conditions	Identify new POD/POA location by survey	See below for change in POU	Reduction in instantaneous rate if new POD/POA cannot produce the full rate authorized
<h1>PLUS</h1>				
Change in POU	Describe the extent of the new POU Compliance with conditions	See above for new POD/POA	Identify new POU based on a new survey of location	Reduction in the POU if fewer acres or limited POU developed following issuance of the transfer final order  Possible reduction in instantaneous rate based on the authorized rate limit from original right (1/40, 1/80, etc)

- POD – Point of Diversion
- POA – Point of Appropriation
- POU – Place of Use
- CBU – Claim of Beneficial Use

Additional POD/POA and New POU

Types of Changes <b>(Multiple)</b>	Claim Report	Map - POD/POA	Map - POU	Possible Results of the CBU review
Additional POD/POA	<p>Only describe additional POD/POA</p> <p>Compliance with conditions</p>	<p>Identify additional POD/POA location by survey</p> <p>Identify original POD/POA location using record data at time of transfer final order (no new survey required)</p>	<p>See below for change in POU</p>	<p>Reduction in instantaneous rate of the additional POD/POA only if it cannot produce the full rate authorized</p> <p>Original POD/POA will remain at the rate authorized by the transfer final order unless the rate exceeds the authorized rate limit from the original right (1/40, 1/80, etc)</p>
<h1>PLUS</h1>				
Change in POU	<p>Only describe the extent of the new POU</p> <p>Compliance with conditions</p>	<p>See above for additional POD/POA</p>	<p>Identify new POU based on a new survey of location</p>	<p>Reduction in the POU if fewer acres or limited POU developed following issuance of the transfer final order</p> <p>Possible reduction in instantaneous rate based on authorized rate limit from original right (1/40, 1/80, etc)</p>

- POD – Point of Diversion
- POA – Point of Appropriation
- POU – Place of Use
- CBU – Claim of Beneficial Use

New POD/POA, New POU, and Character of Use Change

Type of Change ( <b>Single</b> )	Claim Report	Map - POD/POA	Map - POU	Possible Results of the CBU review
New POD/POA	Only describe new POD/POA Compliance with conditions	Identify new POD/POA location by survey	See below for change in POU	Reduction in instantaneous rate if new POD/POA cannot produce the full rate authorized
<b>PLUS</b>				
Change in POU	Only describe the extent of the new POU Compliance with conditions	See above for new POD/POA	Identify new POU based on a new survey of location	Reduction in the POU if fewer acres or limited POU developed following issuance of the transfer final order  Possible reduction in instantaneous rate based on authorized rate limit from original right (1/40, 1/80, etc)
<b>PLUS</b>				
Character of use change	Only describe the date that the new use made Compliance with conditions	See above for new POD/POA	See above for change in POU	Most likely no changes from transfer order

POD – Point of Diversion

POA – Point of Appropriation

POU – Place of Use

CBU – Claim of Beneficial Use





# TRANSFERS






OREGON  
WATER RESOURCES  
DEPARTMENT

# 2023 CWRE Training

## Water Right Transfers (OAR 690-380)

Lisa Jaramillo, Manager  
Transfer and Conservation Section

1



OREGON  
WATER RESOURCES  
DEPARTMENT

## Overview

- Who We Are & What We Do
- Laws & Rules
- Allowed Changes / Different Transfer Types
- Standard Transfers
  - Transfer Process & Approval Criteria
- Updates


2



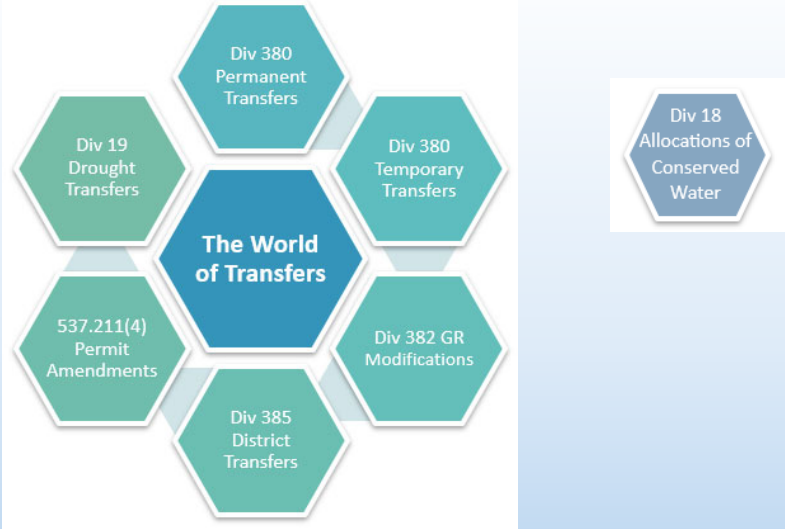
## Water Right Services Division (WRSD)

<b>Water Rights Section</b> (Katie Ratcliffe)	<b>Transfer &amp; Conservation Section</b> (Lisa Jaramillo)	<b>Other WRSD Programs</b> (Dwight French)
<ul style="list-style-type: none"><li>• Water Right Permits</li><li>• Limited Licenses</li><li>• Road-Watering Registrations</li><li>• Customer Service</li></ul>	<ul style="list-style-type: none"><li>• Transfers &amp; District Transfers</li><li>• Instream Leases &amp; Transfers</li><li>• Allocations of Conserved Water</li><li>• Water Management &amp; Conservation Plans</li><li>• Reclaimed Water</li><li>• Transfer Extensions</li></ul>	<ul style="list-style-type: none"><li>• Division Administration</li><li>• Certificates Section</li><li>• Protests</li><li>• Hydroelectric Licensing</li><li>• Adjudications</li><li>• Permit Extensions</li></ul>

3



## Ways to Change Water Rights



The diagram illustrates various ways to change water rights, centered around "The World of Transfers". The methods include:

- Div 19 Drought Transfers
- Div 380 Permanent Transfers
- Div 380 Temporary Transfers
- Div 18 Allocations of Conserved Water
- 537.211(4) Permit Amendments
- Div 382 GR Modifications
- Div 385 District Transfers

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## Transfer Laws & Rules

- **Oregon Revised Statutes (ORS)**

- ORS 540.505 – 540.585 – Standard & District
- ORS 537.610 – GR Modifications
- ORS 537.211(4)-(9) – Permit Amendments

- **Oregon Administrative Rules (OAR)**

- OAR Chapter 690, Division 380 – Standard
- OAR Chapter 690, Division 382 – GR Modifications
- OAR Chapter 690, Division 385 – District

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## Types of Changes - Generally

- **Three ways to change a water right:**

- Type of Use (USE)
- Place of Use (POU)
- Point of Diversion (POD) or Appropriation (POA)
  - Change or add locations




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## Permanent Transfers

- **Change in POD or POA**
  - ORS 540.510 / OAR 690-380-2110
- **Historical POD or POA Changes**
  - ORS 540.532 / OAR 690-380-2120
- **SW POD to GW POA**
  - ORS 540.531 / OAR 690-380-2130


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## Permanent Transfers

- **Change in POU**
  - ORS 540.510 / OAR 690-380-2200
- **Layered Rights**
  - ORS 540.510 / OAR 690-380-2240
- **Transfer of Supplemental Water Right or Permit**
  - ORS 540.510 / OAR 690-380-2250


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## Permanent Transfers

- **Change in Character of Use**
  - ORS 540.510 / OAR 690-380-2300
- **Transfer from Supplemental to Primary**
  - ORS 540.510 / OAR 690-380-2320

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## Permanent Transfers

- **Substitution - Supplemental GW Use for Primary SW Use**
  - ORS 540.524 / OAR 690-380-2330
- **Specific-to-General Industrial Use**
  - ORS 540.520(9) / OAR 690-380-2340

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## Temporary Transfers

- **Temporary Transfer**  
 ORS 540.523 / OAR 690-380-8000(1) & -8002
- **Temporary Transfer in Deschutes Basin**  
 ORS 540.585 / OAR 690-380-8000(2) & -8004
- **Drought Temp Transfer**  
 ORS 536.750  
 OAR 690-019-0055



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## Permit Amendments

- **Permit Amendments**

  - Place of Use (POU)
  - Point of Diversion / Appropriation (POD/POA)
    - Change in POD or POA
    - Additional POD or POA
- **CANNOT** change Type of Use (USE)  
 [ORS 537.211(4)-(9)]

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## GR Modifications

### • **Groundwater Registration (GR) Modifications**

- Place of Use (POU)
- Type or Character of Use (USE)
- Point of Appropriation (POA)
- Additional POA (APOA)

[ORS 537.610 / OAR 690-382]

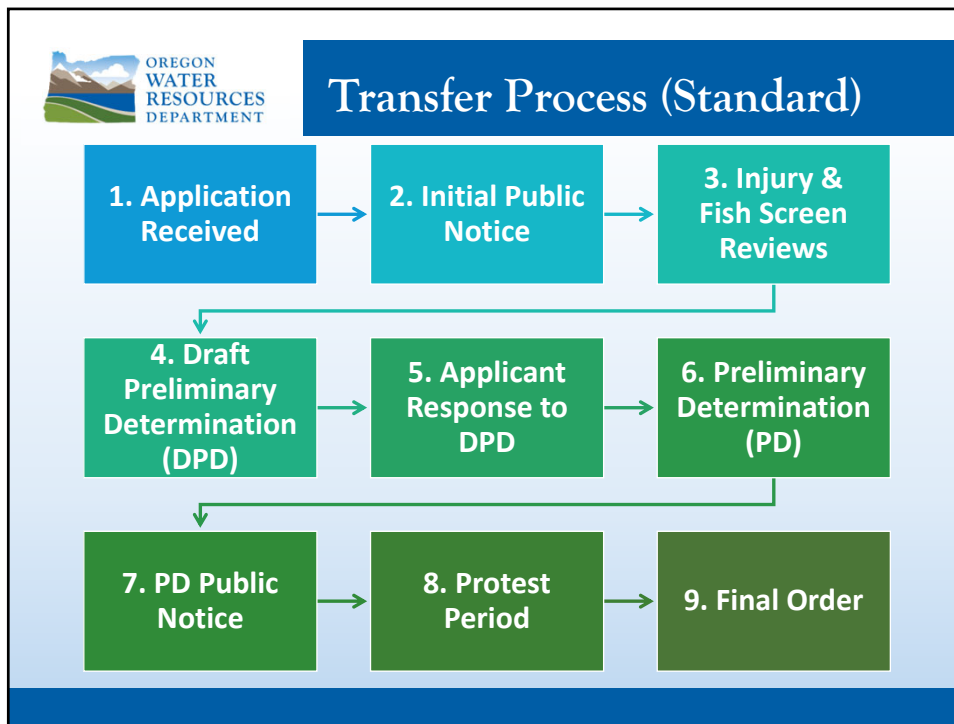
13



## What CANNOT Be Changed?

- **Source**
- **Rate of diversion** (can't be increased)
- **Annual duty** (can't be increased beyond what could have originally been used beneficially)
- **Priority date**
- **Number of acres** (if irrigation)
- **Season of use** (generally)

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**OREGON WATER RESOURCES DEPARTMENT**

### Transfer Process (Standard)

**1. Application Received**

The slide features a large blue box on the left with the text "1. Application Received". To the right, there are three overlapping documents: a "WATER RIGHT TRANSFER MAP FROM C & B 80224" showing a map with various zones and a north arrow; an "Application for Permanent Water Right Transfer" form with various fields and checkboxes; and a "Part 4 of 5 - Application Documents and Fees" form with a "RECEIVED BY" stamp and a date.

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## Application Intake Process

- **Intake Completeness Review**
  - Cursory review
- **Complete Submittal?**
  - YES – Accept & Assign T-#####
  - NO – Return application & fees [OAR 690-380-4000(2)]

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## Intake: What We're Looking For

- **Water Right Proposed for Transfer**
  - Must be non-cancelled
  - Must be a “water use subject to transfer”  
[ORS 540.505(4)]

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## Intake: What We're Looking For

- **Is the Application Completely Filled Out?**
  - Blanks filled in
  - Boxes checked
  - Supplemental forms & evidence
  - Map



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## Intake: What We're Looking For

- **Signature Page**
  - All applicants listed must sign
  - Oath – must be original signature(s)



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## Intake: What We're Looking For

### • **Water Delivery System & Capacity**

- Must demonstrate applicant is ready, willing, & able to exercise the water right
- Description of current system
- Capacity of any pumps, canals, & pipelines used to:
  - Divert water from the authorized source(s)
  - Convey water to the authorized place of use
  - Used in the authorized manner

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## Intake: What We're Looking For

### • **All Required Attachments included, such as:**

- Application Map(s)
- Evidence of Use & Supporting Documentation
- Affidavits of Consent or Water Right Conveyance Agreements, as applicable
- Supplemental Form D
- Land Use Form
- Well Construction Logs
- Geologist Report, as applicable (SW POD to GW POA)

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## Intake: What We're Looking For

### • Application Map

- Make sure a map is included and has a CWRE stamp, as required
- TRSQQ
- North arrow
- FROM & TO lands identified

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## Intake: What We're Looking For

### • Evidence of Use & Supporting Documentation

- Must be included with application
- Must have notarized signature of affiant
- Must address entire portion of right being transferred
- Must include supporting documentation

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## Intake: What We're Looking For

### • Land Use Form

- Must be completely filled out
  - "Receipt" not sufficient for Transfers
- Page 1 – Completed by applicant
  - Proposed TRSQQ & Use match Transfer Application
- Page 2 – Completed by **all** affected local gov't
  - On or through which the diversion, conveyance, **and** use of water will occur

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## Intake: What We're Looking For

### • Land Use Form **NOT** required if...

- Diverted, conveyed, and/or used only on federal lands;


**OR**

#### • The following **ALL** apply:

- Existing & proposed use entirely within EFU-zoned lands or an irrigation district;
- POU change only;
- No placement or modification of structures; **and**
- Irrigation water uses only.

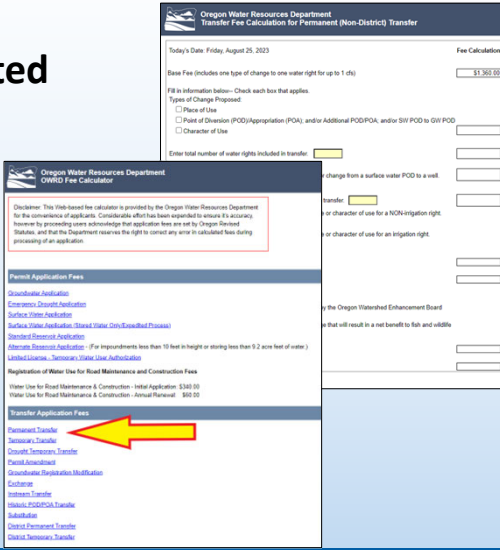
26





## Intake: What We're Looking For

- **Correct Fees Submitted**
  - Online Fee Estimator  
[apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](https://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator)



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## Intake: What We're Looking For

- **Correct Fees Submitted**
  - OWRD Fee Schedule  
[www.oregon.gov/owrd/WRDFormsPDF/fee\\_schedule.pdf](http://www.oregon.gov/owrd/WRDFormsPDF/fee_schedule.pdf)
  - ORS 536.050  
[www.oregonlegislature.gov/bills\\_laws/ors/ors536.html](http://www.oregonlegislature.gov/bills_laws/ors/ors536.html)
  - If you're not sure.....ask us!

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## Transfer Process (Standard)

### 2. Initial Public Notice




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## Transfer Initial Public Notice

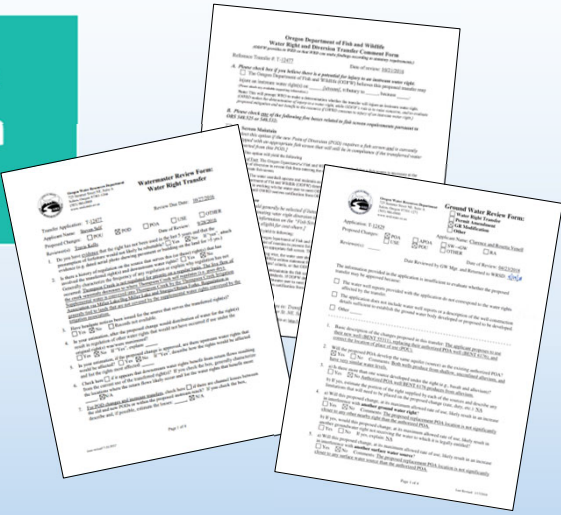
- **Application – determined complete / accepted**
- **OWRD Public Notice**
  - Application received
  - Request for comments
- **30-day public comment period**
- **Received comments considered**

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## Transfer Process (Standard)

### 3. Injury & Fish Screen Reviews



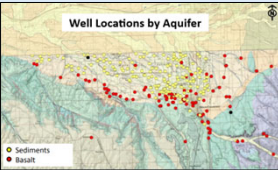



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## Watermaster & GW Injury Reviews

- **Watermaster Injury Review**
  - All Transfer Applications
- **Groundwater Injury Review**
  - POA / APOA
  - SW POD to GW POA

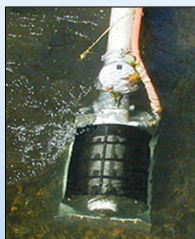
32



# ODFW Fish Screen Reviews

## • ODFW Fish Screen Review

- POD location change
- Additional POD

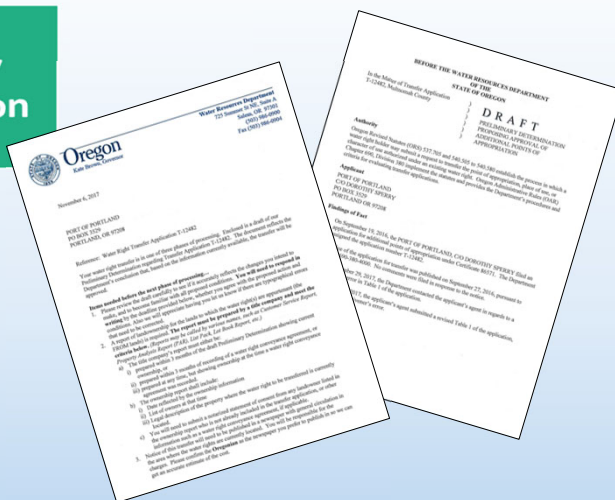


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# Transfer Process (Standard)

## 4. Draft Preliminary Determination (DPD)



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## Draft Preliminary Determination & Cover Letter

- **Draft Preliminary Determination (DPD)**
  - Propose to approve or deny
  - Any conditions or restrictions needed to approve
  - If propose to deny... describes basis for denial



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## Draft Preliminary Determination & Cover Letter

- **DPD Cover Letter**
  - DPD overview & next steps for applicant
  - Ownership report – “FROM” lands
  - Notification of newspaper notice, if required
  - 30-day deadline to respond

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## Transfer Process (Standard)

### 5. Applicant Response to DPD



The illustration shows a draft document titled 'BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON' with a 'DRAFT' stamp and a checklist with a pencil. The document text includes:

**Authority**  
Oregon Revised Statutes (ORS) 516.700 and 516.800 in 546.500 authorize the process by which a change of ownership may be made to transfer the right of appropriation, flow of water, or right of water affected under an existing water right. Oregon Administrative Rules (OAR) 600-005-0000 authorize the Department to implement the statute and provide the Department's procedures and forms for evaluating transfer applications.


**Applicant**  
PORT OF PORTLAND  
COMMUNITY WATER  
DIVISION  
PORTLAND, OREGON

**History of Fact**

- On September 18, 2016, the PORT OF PORTLAND, COMMUNITY WATER filed an application for additional water to transfer under Condition B(2)(i). The Department issued the application number 17-0001.
- Notice of the application for transfer was published on September 27, 2016, pursuant to ORS 516.800-0000. The applicant was filed in response to the notice.
- On September 29, 2017, the Department returned the applicant's signed response to a number of items in Table 1 of the application.
- On October 2, 2017, the applicant's signed submitted a revised Table 1 of the application, addressing the returned items.

Page 1 of 4  
9-14-2016

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## Applicant's Response to DPD

- **Applicant has 30 days to:**
  - Review DPD/conditions & provide written response
    - Proceed or withdraw application?
    - Did we interpret request correctly?
    - If denial, may revise application to address any issues causing denial
  - Submit Report of Ownership Information (ROI)
  - Confirm paper for newspaper notice, if required

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## Applicant's Response to DPD

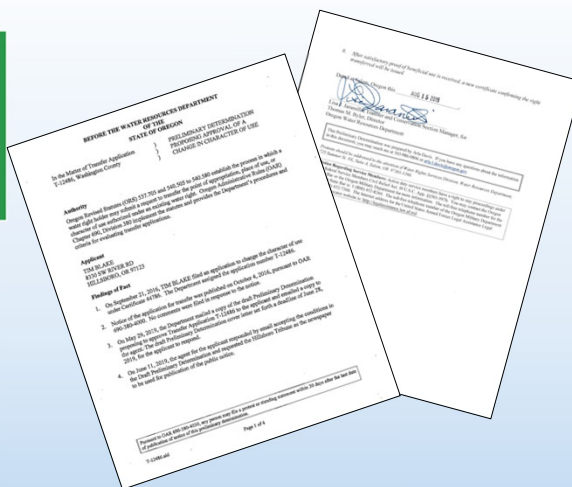
- **Report of Ownership Information (ROI)**
  - Prepared by title company & dated
    - Meets timeframe outlined in OAR 690-380-4010(6)
  - Ownership & legal description of "FROM" lands
  - Notarized statement of consent (if applicable), or other documentation demonstrating applicant authorized to pursue transfer

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## Transfer Process (Standard)

### 6. Preliminary Determination (PD)



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## Preliminary Determination

- **Preliminary Determination Issued**
  - Prepared by title company & dated
    - Meets timeframe outlined in OAR 690-380-4010(6)
  - Ownership & legal description of “FROM” lands
  - Notarized statement of consent (if applicable), or other documentation demonstrating applicant authorized to pursue transfer

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## Transfer Process (Standard)

### 7. PD Public Notice

#### OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS  
August 22, 2023

[This notice is also available on our web page at the following address:  
https://www.oregon.gov/OWRD/About/Pages/PDF.aspx?ID=2023-08-22](https://www.oregon.gov/OWRD/About/Pages/PDF.aspx?ID=2023-08-22)


This publication lists agency activities requiring public notice. It also describes public comment processes and deadlines. Types of water use requests in this week's Public Notice include:

- **Permit Application Initial Reviews, Proposed Final Orders, and Final Orders**  
Applications for permits to use, store, divert or pump surface water or groundwater. Includes applications by the state Departments of Fish & Wildlife, Environmental Quality or Parks and Recreation for water to be used and kept in-channel.
- **Alternate Reservoir Applications (ORS 5.37.400)**  
Applications for storage permits for small ponds filed under a simplified review process.
- **Applications for Limited Licenses**  
Requests to use water for 5 years or less. Licenses are subordinate to other rights and may be revoked if a use is found to injure other water right holders.
- **Application for Instream Lease**  
Application by water right holder to lease existing water rights to instream use.
- **Transfer Applications: Regular**  
Requests to change point of diversion or appropriation, place of use, or character of use upon which the public may comment. The changes may be proposed in an application for a transfer (including instream or historic FQDs), an exchange, or a substitution.
- **Transfer Applications: Permit Amendments**  
Requests to amend permits.
- **Ground Water Registration Modifications**  
Applications requesting Department recognition of changes in point of appropriation, place of use and character of use under a ground water certificate of registration.

Public notice date August 22<sup>nd</sup>, 2023, Page 1

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## PD Public Notice

- **Public Notice of PD published**
  - Department's Weekly Public Notice; and
  - Newspaper Notice, if required
    - Once per week for two consecutive weeks
    - Newspaper must have general circulation in area of transfer
    - OAR 690-380-4020(5) outlines criteria when newspaper notice NOT required

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## Transfer Process (Standard)

### 8. Protest Period



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# Protest Period

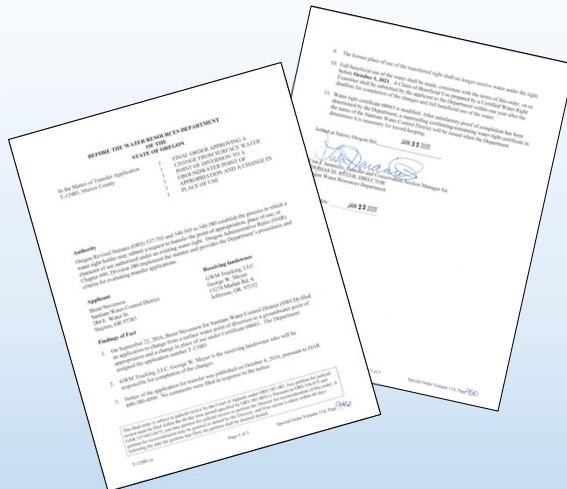
- **Protest Deadline is 30 days after:**
  - Date of last publication of newspaper notice or date of Department’s weekly notice... **whichever is later.**
- **Protests must be:**
  - Submitted in writing
  - Received in Salem OWRD Office by 5:00pm on date of Protest Deadline
  - Include required Protest Fee (ORS 536.050)

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# Transfer Process (Standard)

## 9. Final Order



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## Final Order (FO)

- **Final Order Issued**
  - Date of mailing starts 60-day clock for applicant or anyone else to:
    - Request reconsideration of the FO; or
    - Petition the Court for Judicial Review of FO

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## Transfer Approval Criteria

- Water use subject to transfer – ORS 540.505(4)
- Beneficial use in past 5 years
- Ready, willing, & able
- No enlargement
- No injury
- Any other requirements met

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OREGON  
WATER  
RESOURCES  
DEPARTMENT

## Water Use Subject to Transfer

- Right proposed for Transfer must be...  
a **“water use subject to transfer”**
  - Term is defined in ORS 540.505(4)

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OREGON  
WATER  
RESOURCES  
DEPARTMENT

## Evidence of Beneficial Use

- OAR 690-380-3000(12)
- Beneficial use in past 5 years?
- If not, need to rebut presumption of forfeiture  
[ORS 540.610(2)]



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## Evidence of Beneficial Use

- **Must** be notarized affidavit
- **Must** address entire portion of right being transferred
- **Must** include documentation supporting affiant's statements & clearly demonstrating use
- **Must** include basis of affiant's knowledge of use
- **Must** state specific use to which water was put
- **Must** describe delivery system used to apply water

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## Ready, Willing, and Able

- Must have system capable of:
  - Diverting & conveying full allowed rate & duty
  - Beneficially using entire amount of water allowed



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## No Enlargement

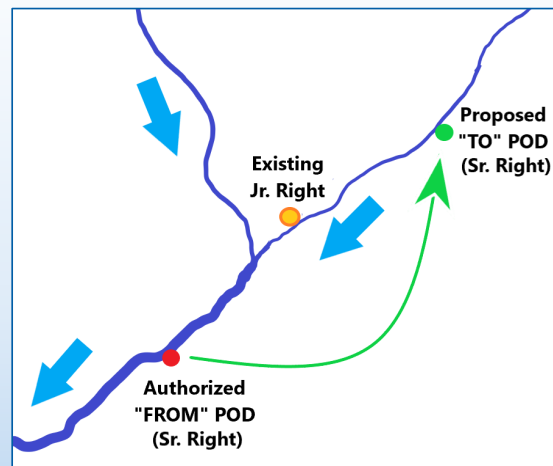
- OAR 690-380-0100(2) defines “Enlargement”
- Transfer cannot result in expansion of water right
  - Cannot use a greater rate or duty of water
  - Cannot irrigate more acres
  - Must dry up “FROM” lands
  - Cannot divert more water than is legally available at original diversion point or well

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## Evaluating Enlargement

- Point of Diversion considerations
  - Upstream move past a source of significant inflow

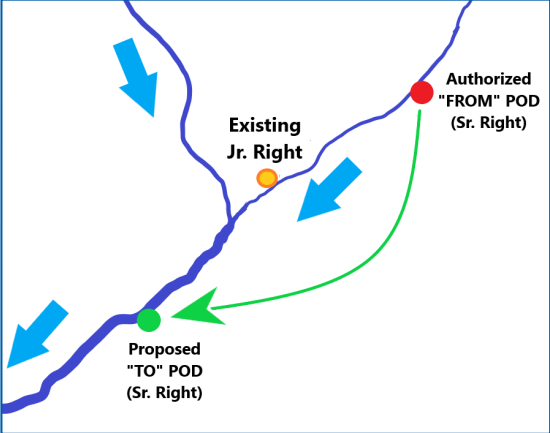


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## Evaluating Enlargement

- Point of Diversion considerations
  - Downstream move past a source of significant inflow




55



## No Injury

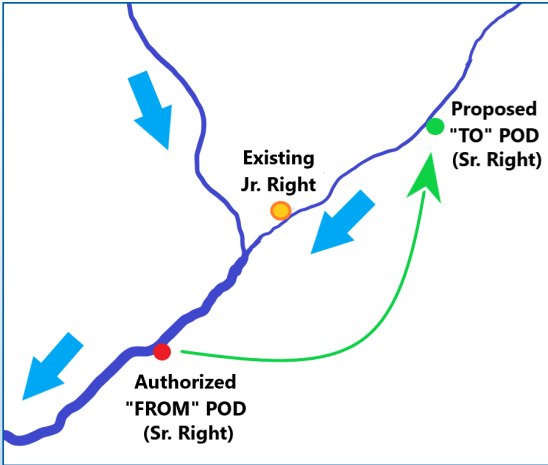
- OAR 690-380-0100(3) defines “Injury”
  - A Transfer resulting in another, existing water right not receiving previously available water to which it is legally entitled.
- Transfer cannot result in injury

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## Evaluating Injury

- Point of Diversion considerations
  - Upstream move past a source of significant inflow and a junior water right

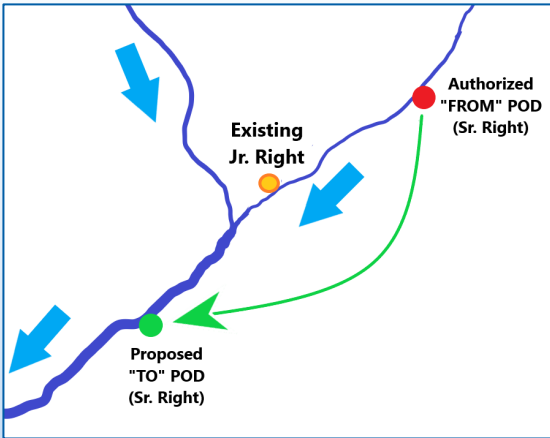


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## Evaluating Injury

- Point of Diversion considerations
  - Downstream move past a source of significant inflow and a junior water right
  - Any losing reaches?



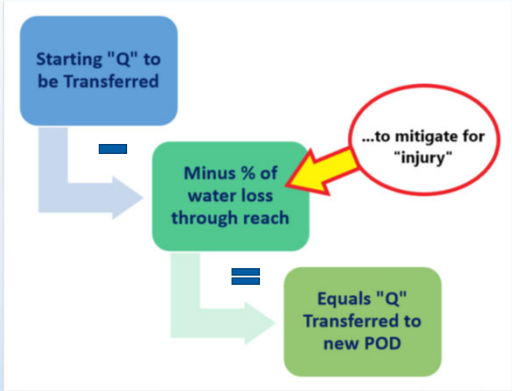
58





Evaluating Injury


- POD Transfers
  - Accounting for losing reaches / channel losses



```

graph TD
    A[Starting "Q" to be Transferred] -- "-" --> B[Minus % of water loss through reach]
    B -- "=" --> C[Equals "Q" Transferred to new POD]
    D(...to mitigate for "injury") -.-> B
  
```


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Updates

- **SB 718 – Drought Forfeiture Bill**
  - How it affects Transfers
- **Transfers of Storage**
  - Where do things stand?
- **Pending Transfer Applications**
  - How many are in the queue?

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## Contact Info

**Lisa Jaramillo, Transfer and Conservation  
Section Manager**  
**Phone:** 503-871-1889  
**Email:** [Lisa.J.Jaramillo@water.oregon.gov](mailto:Lisa.J.Jaramillo@water.oregon.gov)

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## Questions?

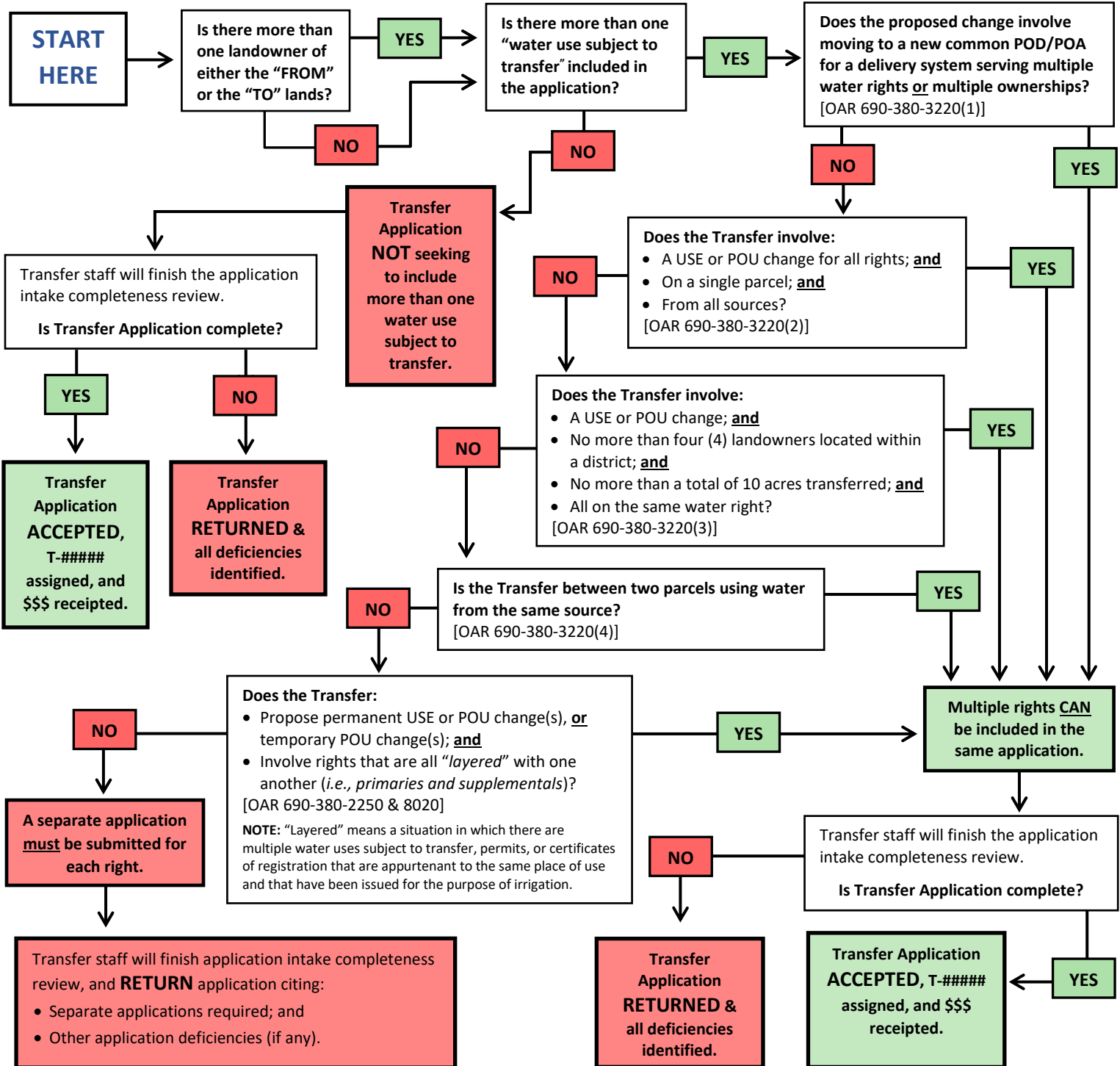


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### Decision Tree: Can Multiple Water Rights be included in a Single Transfer Application?

OAR 690-380-3220 – General Criteria / OAR 690-380-2250 – Suppl Water Right or Permit / OAR 690-380-8020 – Temp Transfer Suppl WR

**FOR DIV. 380 TRANSFERS:** The following series of questions outlined in the flow chart below can be used to determine if separate applications are required for each “water use subject to transfer” (as defined in ORS 540.505 & OAR 690-380-0100) that is proposed for transfer. To qualify for including multiple water rights in a single application, a proposed transfer application must meet at least one of the exceptions outlined in OAR 690-380-3220(1)-(4).



- **NOTE:** Only water rights that meet the criteria of a “water use subject to transfer” under ORS 540.505 may be transferred in a Div. 380 Transfer, except as otherwise noted in ORS 540.510, OAR 690-380-2240, & OAR 690-380-2250. Permit Amendments & GR Modifications are administered under ORS 537.211(4) & OAR 690-382, respectively.
- **“More than one landowner”** does NOT mean two individuals who are married & are both a deeded owner of the parcel(s), nor a single Trust citing more than one name.
- **Other considerations:** The claim of beneficial use for all the water rights involved in a transfer will be evaluated at one time. The Department does not allow sequential or partial perfection of the rights changed through a water right transfer. As a result, the ability of a water right holder to obtain a certificate and/or apply for a subsequent transfer, including a temporary transfer, will be limited if the first transfer includes rights held by other parties who have not completed the authorized changes.

**OAR 690-380-3220****Separate Application Required for Each Water Right**

For changes involving more than one landowner or water use subject to transfer, a separate transfer application is required for each water use subject to transfer from each landowner involved, except under the following circumstances:

- (1)** A change in point or points of diversion or appropriation to a new common point of diversion or appropriation for a delivery system serving multiple rights or multiple ownerships.
- (2)** A change in use or place of use of all rights on a single parcel from all sources.
- (3)** A change in use or place of use from as many as four land owners may be allowed within a district. Such a change must be for the same water right and not total more than 10 acres transferred.
- (4)** Transfers between two parcels using water from the same source.

**Statutory/Other Authority:** ORS 536.025 & 536.027

**Statutes/Other Implemented:** ORS 540.520

**NOTE:** When reading the text of OAR 690-380-3220, the four exceptions outlined in (1) – (4) of that rule must be read with an “OR” in mind. Meeting any one of these circumstances would allow the inclusion of more than one water right in a single transfer application. To read the text of OAR 690-380-3220(1)-(4) with an “AND” in mind, would be too restrictive. There would be very few transfer applications that would include all the circumstances set forth in OAR 690-380-3220(1)-(4).

Additionally, for those transfer applications that include multiple types of changes to multiple rights (e.g., a POD change and a POU change on ten (10) water rights), as long as the circumstance meets one of the exceptions specified in OAR 690-380-3220(1)-(4), we must allow its submittal. Based on the reasoning outlined above, we would not be able to require an applicant to submit ten (10) separate transfer applications (one for each water right) if one of the circumstances in OAR 690-380-3220(1)-(4) applies. Further (assuming the POD and POU changes under each water right affect the same portion of the right), we would not be able to require an applicant to group all of the POD changes on ten (10) water rights in one application and group all of the POU changes on those same ten (10) water rights in another application. That would result in the same portion of the same water rights being inchoate under two different transfer orders and requiring two different Claims of Beneficial Use for the same portion of the same inchoate water right.

**OAR 690-380-2250(1)****Transfer of Supplemental Water Right or Permit**

**(1)** When an application for change of the use or place of use for a primary water right is submitted in accordance with OAR 690-380-3000, the applicant also shall indicate whether the land described in the application has an appurtenant supplemental water right or permit. If the applicant intends to transfer the supplemental water right or permit with the primary water right, the applicant shall include information on the supplemental right or permit as part of the transfer application for the primary water right as required under OAR 690-380-3000.

**Statutory/Other Authority:** ORS 536.025 & 536.027

**Statutes/Other Implemented:** ORS 540.510 - 540.530

**OAR 690-380-8020(1) & (2)****Supplemental Water Rights**

**(1)** When an application for a temporary transfer of the place of use is filed with the Department, the applicant also shall indicate whether the land described in the application has an appurtenant supplemental water right or permit. The applicant shall also indicate whether the supplemental water right or permit is intended to be temporarily transferred with the primary water right or to remain unexercised at the place of use as described in the original water right during the period of the temporary transfer.

**(2)** If the applicant also intends to temporarily transfer the supplemental water right or permit, the applicant shall include the information required under OAR 690-380-3000 and 690-380-8000 for the supplemental water right or permit.

**Statutory/Other Authority:** ORS 536.025 & 536.027

**Statutes/Other Implemented:** ORS 540.523



# TIPS AND REMINDERS FROM STAFF





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## Water Right Services Division - Reminders and Tips



### Permit Section:

- New Applications
- Assignments
- Limited Licenses

### Permit Extensions of Time

### Certificate Section

- Claims of Beneficial Use
- Completeness Project (60 Day Letters)

2



## Permit Section

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DEPARTMENT

- **Alternate Reservoir (Alt Res) Applications**
- **Expedited Secondary (E-2) Applications**
- **Groundwater Applications**
- **Surface Water Applications**
- **Reservoir Applications (Standard Review Process)**
- **Emergency Use (Drought) Applications**

3

## Permit Section - Alternate Reservoir (Alt Res) Applications

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### Current Timelines

**Public Notice** - After a submitted application for an alternate reservoir is determined to be complete, it is included in the Department's weekly public notice with a 60-day comment period. A final order may not be issued until the 60-day comment period has passed. Public notice is currently published on Tuesdays.

**Groundwater Sources** - If the proposed source is from groundwater, a groundwater application must be submitted before or at the same time the alternate reservoir application. Additional technical reviews of the groundwater application will be conducted by the Department. The review and processing of the groundwater review will likely delay issuance of the alternate reservoir final order by 12-18 months or longer.

**Surface Water Sources** - For applications to use surface water, the Department typically issues a final order within 3-6 months after receiving the application, depending on workload.

**Detrimental Impact Finding** - The Department consults with ODFW to determine if the reservoir would pose a significant detrimental impact to existing fishery resources. If significant detrimental impacts to existing fishery resources cannot be avoided by limiting the storage season or through permit conditions, the applicant may choose to re-apply under the Standard Reservoir application process, which provides an opportunity for the applicant to put their application on administrative hold to pursue possible mitigation opportunities.

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## Permit Section - Common Deficiencies - Alt Res Applications

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### Most Common Deficiencies on Submitted Alternate Reservoir Applications

- An unsigned Application Form  
→ The form must be signed by all the listed applicants. An agent MAY NOT sign the application form for the applicant.
- A blank Water Availability Statement or ODFW Review Form  
→ The forms must be completed by the local Watermaster and ODFW. It is the responsibility of the applicant to work with the local Watermaster and ODFW on completing the forms.
- A map that doesn't meet the requirements of OAR 690-310-0050  
→ The mapping requirements are listed on page 8 of the Alternate Reservoir Guidebook. The most common omission is the measured distance to the reservoir. If there is a dam, the measurement must be from the center of the dam. If there is no dam, the measurement must be from the center of the reservoir.

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## Permit Section - Expedited Secondary (E-2) Applications

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### Current Timelines

**Public Notice** - After a submitted application for an alternate reservoir is determined to be complete, it is included in the Department's weekly public notice with a 30-day comment period. A final order may not be issued until the 30-day comment period has passed. Public notice is currently published on Tuesdays.

### Stored Water Sources

**Contracted Water** - For applications to use contracted water (from the Bureau of Reclamation, Douglas County, Lookingglass/Olalla Water Control District, Army Corp, or Wallowa Lake Irrigation District (Dobbin Ditch Co)), the Department MUST receive a signed, executed water contract. If a contract is submitted with an application, but it is not signed by the appropriate entity, we will issue a Final Order with a Draft Permit. When we receive the signed contract, we will issue the Permit. If a signed, executed contract is submitted with the application, the Department typically issues a Final Order within 2-4 months of receiving the application, depending on workload.

**Reservoirs owned by Applicant** - for applications to use water from reservoir that are owned by the applicant, the Department typically issues a Final Order within 2-4 months of receiving the application, depending on workload.

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## Permit Section - Common Deficiencies - E-2 Applications



### Most Common Deficiencies on Submitted E-2 Applications

- An unsigned Application Form  
→ The form must be signed by all the listed applicants. An agent MAY NOT sign the application form for the applicant.
- A map that doesn't meet the requirements of OAR 690-310-0050  
→ The mapping requirements are listed on the Minimum Requirements Checklist on page 7 of the Surface Water Application. The most common omission is the measured distance to the reservoir/point of diversion.

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## Permit Section – Groundwater Applications



### Current Timelines

**Groundwater Review (Public Interest Review)** – after the Department receives a Groundwater Application, it receives a public interest review by the Groundwater Section. This review can take 12-18 months or even longer to complete, depending on the workload of the Groundwater Section.

**Initial Review (IR) and Public Notice** – After a groundwater review is completed, the Department can issue an Initial Review. After the Initial Review is issued, it goes on the Department's weekly public notice with a 30-day comment period. Public notice is currently published on Tuesdays.

**Division 33 Reviews (OAR 690-033)** – If required, the Division 33 reviews from ODFW, DEQ and the Watermaster are requested when the Initial Review is issued. These reviews are typically received within 45-60 days, but some take longer, depending on the complexity. If mitigation is required, a letter is sent to the applicant outlining the mitigation requirements. The letter specifies how long the applicant has to notify the Department whether they plan on pursuing mitigation. The applicant can put the application on administrative hold for up to 180 days.

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## Permit Section – Groundwater Applications

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### Current Timelines Cont.

**Proposed Final Order (PFO)** – After the 30-day comment period is complete, and the Division 33 reviews are submitted (if applicable), the Proposed Final Order is prepared, reviewed, issued and goes on the Department’s weekly public notice with a 45-day protest period.

**Final Order/Permit** – After the 45-day protest period, if the Department did not receive any protests, the Department prepares the Final Order. If all required information has been provided by the applicant and the Final Order is to approve, the Department will issue a Final Order and Permit. The Department typically issues a Final Order within 1-2 months after the end of the 45-day comment period, depending on workload.

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## Permit Section - Common Deficiencies - Groundwater Apps

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### Most Common Deficiencies on Submitted Groundwater Applications

- An unsigned Application Form  
→ The form must be signed by all the listed applicants. An agent MAY NOT sign the application form for the applicant.
- Page 3 – Section 3 - Well Development and Total maximum rate requested  
→ A rate **must** be requested (at the top of the page). The table must also be completed, especially if the well is proposed. This information is used by the Groundwater Section to complete the Groundwater review.

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## Permit Section - Common Deficiencies - Groundwater Apps



### Most Common Deficiencies on Submitted Groundwater Applications

- Page 6 – Section 5 – Water Use
  - The acres requested in the application must match what is on the map. Acreage is needed for all irrigation, supplemental irrigation, and nursery use applications.
- A map that doesn't meet the requirements of OAR 690-310-0050
  - The mapping requirements (OAR 690-340-0030) are listed on the Minimum Requirements Checklist, included with the application. The most common omissions are:
    - The measured distance to the POA/Well(s). If multiple wells, there must be measured distances to each well from a public land survey corner. The corner being measured from must also be visible on the map.
    - Acreage identified in each quarter-quarter (QQ). If the POU is in different QQs, the acreage in **each QQ** must be identified.

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## Permit Section – Surface Water Applications



### Current Timelines

**Initial Review (IR) and Public Notice** – After a surface water application is received, the Department can issue an Initial Review. It is the Department's goal to issue Surface Water Initial Reviews within 45-days, depending on workload. When the Initial Review is issued, it goes on the Department's weekly public notice with a 30-day comment period. Public notice is currently published on Tuesdays.

**Division 33 Reviews (OAR 690-033)** – The Division 33 reviews from ODFW, DEQ and the Watermaster are requested when the Initial Review is issued. These reviews are typically received within 45-60 days, but some take longer, depending on the complexity. If mitigation is required, a letter is sent to the applicant outlining the mitigation requirements. The letter specifies how long the applicant has to notify the Department whether they plan on pursuing mitigation. The applicant can put the application on administrative hold for up to 180 days.

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## Permit Section – Surface Water Applications

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### Current Timelines

**Proposed Final Order (PFO)** – After the 30-day comment period is complete, and the Division 33 reviews are submitted, if mitigation is not required, the Proposed Final Order is prepared, reviewed, issued and goes on the Department’s weekly public notice with a 45-day protest period.

**Final Order/Permit** – After the 45-day protest period, if the Department did not receive any protests, the Department prepares the Final Order. If all required information has been provided by the applicant and the Final Order is to approve, the Department will issue a Final Order and Permit. The Department typically issues a final order within 1-2 months after the end of the 45-day comment period, depending on workload.

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## Permit Section - Common Deficiencies – Surface Water Apps

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### Most Common Deficiencies on Submitted Surface Water Applications

- An unsigned Application Form
  - The form must be signed by all the listed applicants. An agent MAY NOT sign the application form for the applicant.
- Page 5 – Section 5 – Water Use
  - A rate MUST be requested. Also, the acres requested in the application must match what is on the map. Acreage is needed for all irrigation, supplemental irrigation, and nursery use applications.

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## Permit Section - Common Deficiencies – Surface Water Apps



### Most Common Deficiencies on Submitted Surface Water Applications

- A map that doesn't meet the requirements of OAR 690-310-0050
  - The mapping requirements are listed on the Minimum Requirements Checklist, included with the application. The most common omissions are:
    - The measured distance to the POD(s). If multiple PODs, there must be measured distances to each POD from a public land survey corner. The corner being measured from must also be visible on the map.
    - Acreage identified in each quarter-quarter (QQ). If the POU is in different QQs, the acreage in each QQ must be identified.

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## Permit Section – Reservoir Applications (Standard Review Process)



### Current Timelines

**Initial Review (IR) and Public Notice** – After a reservoir application is received, the Department can issue an Initial Review. It is the Department's goal to issue Reservoir Initial Reviews within 45-days, depending on workload. After the Initial Review is issued, it goes on the Department's weekly public notice with a 30-day comment period. Public notice is currently published on Tuesdays.

**Division 33 Reviews (OAR 690-033)** – The Division 33 reviews from ODFW, DEQ and the Watermaster are requested when the Initial Review is issued. These reviews are typically received within 45-60 days, but some take longer, depending on the complexity. If mitigation is required, a letter is sent to the applicant outlining the mitigation requirements. The letter specifies how long an applicant has to notify the Department whether they plan on pursuing mitigation. The applicant can put the application on administrative hold for up to 180 days.

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## Permit Section – Reservoir Applications (Standard Review Process)

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### Current Timelines Cont.

**Proposed Final Order (PFO)** – After the 30-day comment period is complete, and the Division 33 reviews are submitted, if mitigation is not required, the Proposed Final Order is prepared, reviewed, issued and goes on the Department’s weekly public notice with a 45-day protest period.

**Final Order/Draft Permit/Permit** – After the 45-day protest period, if the Department did not receive any protests, the Department prepares the Final Order. If all required information has been provided by the applicant and the Final Order is to approve, the Department will issue a Final Order and Permit. The Department typically issues a final order within 1-2 months after the end of the 45-day comment period, depending on workload.

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## Permit Section - Common Deficiencies – Reservoir Apps

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### Most Common Deficiencies on Submitted Reservoir Applications

- An unsigned Application Form  
→ The form must be signed by all the listed applicants. An agent MAY NOT sign the application form for the applicant.
- Page 4 – Section 5 – Water Use  
→ All of the uses for the stored water must be identified. Multipurpose Use is **not** an allowable use for a Standard Reservoir Application. A volume and dam height must also be requested.
- Page 5 – Section 6 – Dam Height and Composition  
→ As noted in the application, if the dam is 10 feet or higher AND the reservoir will store 9.2 acre-feet of water or more, preliminary plans and specs must be submitted.

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## Permit Section - Common Deficiencies – Reservoir Apps



### Most Common Deficiencies on Submitted Reservoir Applications Cont.

- A map that doesn't meet the requirements of OAR 690-0050
  - The mapping requirements are listed on the Minimum Requirements Checklist, included with the application. The most common omissions are:
    - The measured distance to the POD(s). If multiple PODs, there must be measured distances to each POD from a public land survey corner. The corner being measured from must also be visible on the map.
    - The measured distance to the reservoir(s). If multiple reservoirs, there must be measured distances to each reservoir from a public land survey corner. If there is a dam, the measurement must be from the center of the dam. If there is no dam, the measurement must be from the center of the reservoir. The corner being measured from must also be visible on the map.

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## Permit Section – Current Forms, Fees and Contacts



### Current Forms & Fee

The most current fees for all applications may be accessed from the Department's website. The online fee calculator can be accessed under Water Rights > Apply for a Water Use Permit from the home page.

### Emergency Use (Drought) Applications:

New form for next season.

### Contact: For questions, please contact:

[WRD\\_DL\\_customerservice@water.oregon.gov](mailto:WRD_DL_customerservice@water.oregon.gov)

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## Assignments – Most Common Deficiencies on Submitted Requests

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### Missing Signatures on Request for Assignment Forms

For a full assignment when the current holder(s) of record is available to assign their interest, the form must include the signature of each holder of record. For a partial assignment, the form must include the signature of the holder of record for the portion being assigned.

If the holder(s) of record is unavailable to sign, then the request is assignment by proof of ownership.

### Missing Proof for Request for Assignment by Proof of Ownership

Two types of proof are required for these requests, the first being proof of land ownership. This may include a deed to the land and legal description (Exhibit A), a copy of a land sales contract, a court order or decree, or documentation of survivorship of property held jointly. Submittal of tax statements, a copy of the permit or transfer final order, or business registry information do not fulfill this requirement.

Proof that the holder of record of record is unavailable to assign their interest is also required. This requirement may be achieved by submitting a copy of returned certified mailing or a copy of a death certificate. Other proof that the requestor has been unable to contact the holder(s) of record may be considered. For more information on this item of proof, please contact Mary Bjork 503-979-9895 or [mary.f.bjork@water.oregon.gov](mailto:mary.f.bjork@water.oregon.gov).

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## Assignments – Other Information

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### Important to Know (Mailing)

Processed and returned assignments may be copied to numerous individuals and entities, but the originals are mailed to the individual and/or entity that submitted the fee.

### Current Forms & Fee

The most current Request for Assignment Forms may be accessed from the Department's website via Programs > Water Rights > Permit > Assignments. As of July 1, 2021, the fee for a Request for Assignment is \$120.

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## Assignments – Other Information



### Current Water Right Status

Assignments may only be accepted on non-cancelled, unperfected, uncertificated water rights, including:

- Applications for permits
- Permits
- Transfers
- Groundwater Registration Claims
- Limited Licenses

Information on current water right status may be accessed from the Department's website via Programs > Water Rights > Water Right Information Search (WRIS).

**Contact: For questions, please contact Mary Bjork 503-979-9895 or [mary.f.bjork@water.oregon.gov](mailto:mary.f.bjork@water.oregon.gov).**

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## Limited Licenses - Timelines



**Public Notice** - After a submitted application for limited license is determined to be complete, it is included in the Department's weekly public notice for 14 days. A final order may not be issued until the 14-day comment period has passed. Public notice is currently published on Tuesdays.

**Groundwater Sources** – If the proposed source is from groundwater, additional technical reviews will be conducted by the Department. This review can take 12-18 months or even longer to complete, depending on the workload of the Groundwater Section.

**Surface Water Sources** - For applications to use surface water, the Department typically issues a final order within 1-2 months of receiving the application depending on public interest considerations and workload.

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## Limited Licenses - Common Deficiencies - Limited License Applications



### Most Common Deficiencies on Submitted Limited License Applications

- an unsigned Application Form  
→ The form must be signed by all the listed applicants.
- a blank Water Availability Statement  
→ The form must be submitted as completed by the local Watermaster. It is the responsibility of the applicant to work with the local Watermaster on completing the form.
- a blank Land Use Information Form  
→ The form must be submitted as completed by the local planning official in the jurisdictions where the limited license authorization is being requested for use. It is the responsibility of the applicant to work with the local planning official on completing the form.
- a map that doesn't meet the requirements  
→ The mapping requirements (OAR 690-340-0030) are listed on page 2 of the application form.

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## Limited Licenses - Current Forms & Fee



### Current Forms, Fee, and Staff Contact

The most current Application for Limited Water Use License may be accessed from the Department's website via Programs > Water Rights > Other Water Use Authorizations > Limited Licenses. The current fee is \$280 for the first point of diversion plus \$30 for each additional point of diversion.

**Contact: For questions, please contact Mary Bjork 503-979-9895 or [mary.f.bjork@water.oregon.gov](mailto:mary.f.bjork@water.oregon.gov)**

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## Permit Extensions of Time

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### Permit Extension of Time Application

- Applications must be complete and provide a response to all items requested. Incomplete Applications must be returned.
- Permits with conditions pertaining to well construction (i.e. ground water production from alluvium only, minimum casing and seal), or permits located in areas of ground water concerns may be subject to review by Ground Water Division.
- Email contact is the most efficient way to communicate, please include email addresses for the permit holder and the acting agent.

**Contact: For questions, please contact any one of our Certificate Staff:**

**Jeffrey D. Pierceall at 503-979-3213 or by email at [jeffrey.d.pierceall@water.oregon.gov](mailto:jeffrey.d.pierceall@water.oregon.gov)**

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## Certificate Section – Claims of Beneficial Use

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### Scrivener's Errors

Many times, the items that we discover during the review of the report and map involve scrivener type errors. These include items such as transposed quarter quarters, transposed direction (north, south, east, and west) in the point of diversion or appropriation description, transposed numbers in Well Log or Well ID tag numbers, and transposed application, permit or transfer numbers.

Following is a list of additional items to check and consider prior to submitting a Claim of Beneficial Use.

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## Certificate Section – CBU Report Reminders

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### Report

#### **Missing Signatures on the Claim Form**

The Claim must be signed by all permit or transfer holders of record. This includes Northwest Farm Credit Services if they are a permit holder of record.

If the ownership has changed, it is recommended that an Assignment be completed prior to the submittal of the Claim. That being said, the assignment can be submitted with the Claim.

Exception – If the permit or transfer involves multiple holders of record, the Claim can be prepared for only a portion of the permit or transfer. If this is the case, the Claim only needs to be signed by the holders of record for that portion of the permit or transfer that the Claim covers. The other holders of record must be identified as excluded owners.

#### **Variations**

The Variations Section of the claim should be used to identify differences between what the permit or transfer final order authorized and what was developed. These differences could include items such as fewer uses developed, fewer acres developed, fewer points of diversion or appropriation developed, differences in the location of the points of diversion or appropriation, and differences in the distribution of the irrigated acres.

In addition, this section can be used to describe changes to the names of the points of diversion or appropriation from the time of the issuance of the permit or the transfer final order. For example, Well 1 is now is Field 3 Well.

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## Certificate Section – CBU Report Reminders

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### **Calculations**

Regardless of whether a meter reading or other measurement was taken during the site visit, theoretical calculations of the system are required.

The Department has created calculator spreadsheets for your use. Those calculators are located on the Resources for Certified Water Right Examiners page of our web site.

### **Time Limits**

The Claim must identify the actions taken by the permit or transfer holder(s) between the date the permit or transfer final order was issued and the completion date or an extended completion date. Actions taken after the completion date, whether to develop additional use (acres, homes, rate, volume, etc.), develop additional points of diversion or appropriation, or to comply with conditions, will require an extension of time.

### **Meter installation**

If the meter, or some other measurement device, described in the Claim is a *replacement* meter that was installed after the authorized completion date, be sure to note when the original meter or measurement device was installed. The Department has proposed cancellation of permits where the Claim only identified the date the replacement meter was installed and did not provide a date for the original device. In order to demonstrate compliance with the condition, the meter or measurement device must have been in place between the date the permit or transfer final order was issued and the authorized completion date.

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## Certificate Section – CBU Report Reminders

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### **Fish Screen Installation and Oregon Department of Fish and Wildlife Approval or Waiver Letter**

The Claim must include documentation from ODFW that the fish screen or other required fish protection device has been inspected and approved, or that the requirement has been waived. Evidence of the approval should always be attached to the Claim.

Some permit and transfer holders still qualify to self-certify their fish screens at pumped diversion points. For permits or transfer final orders issued prior to February 1, 2011, the permit or transfer holder can self-certify their fish screen if the diversion is a pumped diversion with a capacity less than 225 gallons per minute.

### **Pump Tests**

Although not required to be submitted with the Claim, many of our calls related to the status of the review of a Claim for a Groundwater permit revolve around the lack of compliance with the Pump Test condition. It is recommended that the Pump Test requirement be resolved prior to or concurrent with the submittal of the Claim.

The Pump Test requirement can be satisfied by the submittal and approval of a Pump Test, or by obtaining either a multiple well exemption or an unreasonable burden exemption.

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## Certificate Section – CBU Map Reminders

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### **Map**

#### **Reference Corner**

Points of Diversion and Appropriation are to be identified in relation to a recognized public land survey corner. The reference corner should be clearly marked on the Claim map.

#### **Bearing and Distance**

When identifying the location of a Point of Diversion or Appropriation to a recognized public land survey corner using bearing and distance, the bearing and distance should be from the reference corner to the Point of Diversion or Appropriation.

#### **Coordinates**

When identifying the location of a Point of Diversion or Appropriation to a recognized public land survey corner using coordinates (distance north or south and distance east or west from the corner), the coordinate description should be from the reference corner to the Point of Diversion or Appropriation.

#### **Coordinates – Cardinal Directions**

When identifying the location of a Point of Diversion or Appropriation using coordinates (Well #1 is located 100 feet North and 500 feet East from the NW Corner or Section 12), cardinal directions should be used.

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## Certificate Section – CBU Map Reminders

### OREGON



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#### **Quarter Quarters**

Be sure that the map includes enough information to determine the identity of the quarter quarter(s) where use and diversion are occurring. If necessary, label the quarter quarters on the map.

#### **Latitude and Longitude**

Latitude and Longitude can be included on the Claim map in addition to distance and bearing or by coordinates (distance north or south and distance east or west) from recognized public land survey corner. The map must include location of each diversion point, well, or dam by reference to a recognized public land survey corner. The locations may be shown either by distance and bearing or by coordinates (distance north or south and distance east or west from the corner).

#### **Government Lots and Donation Land Claims**

Be sure to include Government Lots (GL) and Donation Lands Claims (DLC) on your maps. When irrigation occurs within a GL or DLC, the projected quarter quarter lines should be imposed over the GL or DLC and the number of irrigated acres within each of these projected quarter quarters should be indicated.

It can be helpful in the review of the Claim map if you include a copy of the map that you used to establish the location of the Government Lots and/or Donation Land Claims.

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## Certificate Section – Completeness Project

### OREGON



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#### **Completeness Project**

##### **Notification of Work**

If you are retained to complete a Claim of Beneficial Use for someone who has received a 60-day letter, be sure to contact the Caseworker to let them know the timeline for the submittal of the Claim. If you find that you need additional time in order to complete the Claim, discuss this with the Caseworker. Be sure to keep the Caseworker informed regarding the status of the Claim. If the permit is cancelled, for failure to submit a Claim or an Extension, there is a currently a \$610 reinstatement fee.

##### **Ownership Changes**

If the ownership of the lands where the permit is located has changed, it is recommended that an Assignment be completed prior to the submittal of a Claim or an Extension Application. That being said, the assignment can be submitted with the Claim.

##### **A Late Claim Does Not Require an Extension**

If a CBU is late, an extension is not necessary. Permit Extensions of Time are only for the purpose of extending the time to complete the construction and/or beneficial use under a permit.

#### **Contact: For questions, please contact any one of our Certificate Staff:**

Gerry Clark at 503-979-9103 or by email at [gerald.e.clark@water.oregon.gov](mailto:gerald.e.clark@water.oregon.gov)  
 Jonnine Skaug at 503-979-3943 or by email at [Jonnine.L.Skaug@water.oregon.gov](mailto:Jonnine.L.Skaug@water.oregon.gov)  
 Codi Holmes at 503-979-3184 or by email at [Codi.N.Holmes@water.oregon.gov](mailto:Codi.N.Holmes@water.oregon.gov)  
 Tonya Miller at 503-979-9983 or by email at [Tonya.L.Miller@water.oregon.gov](mailto:Tonya.L.Miller@water.oregon.gov)

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# GROUNDWATER

- Conditions
- SWL Measurements






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# Permit Conditions Static Water Levels (SWL)

Ben Scandella & Shauna Yeh  
CWRE Workshops 2023

1



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## Summary

- Most groundwater permits require annual reporting of static water levels measurements
- This data helps us understand the resource & prevent significant declines
- Exceeding the allowed decline is grounds for reducing rate or shutting off
- New points today:
  - Water levels may now be submitted online
  - Procedure for determining if measurement is static
  - Conditions on new permits will be stricter starting Fall 2023


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## Electronic data submission

- To modernize and improve accessibility for permit holders
- Supports complete & accurate data reporting
- Provides auto notification to staff & permit holder
- Real-time reporting

2023
3



## Modernization of Forms

### Previous vs Update

**Oregon Water Resources Department  
PERMIT CONDITION WATER-LEVEL REPORTING FORM**

**Well owner:**

Name	Application:
Address	Permit:
City/State/Zip	Certificate:
Phone/Fax/Cell	Useful:
Email	Transfer:

Your water right requires periodic static water-level measurements in your well. **Consult your permit or certificate to determine when measurements should be made, when reports are due, and who is allowed to make the measurements.** Keep a copy of all measurement reports for your records. **Your well must be measured regardless of whether it is in use.** Please contact the Department if you are no longer the holder of this right or no longer have an interest in it.

**Other water rights that list this well:** Complete one form for each well.

Application number(s):

Permit number(s):

Certificate number(s):

**Identification of measured well (Provide as much information as possible.)**

Water Resources Well Log ID:	Owner's well name:
Well ID (Well Tag) on Well Log:	Well drilled by:
Well ID (Well Tag) on Well Log L:	Total depth:
Start Card # on Well Log:	Casing diameter (inches):
Date drilled:	Owner on well log:

**Water-Level Measurement**

Date of measurement: \_\_\_\_\_ Measurements should be made to at least the nearest tenth of a foot (0.2), the nearest inch (0.7) or the nearest pound of a ton.

Depth to water below measuring point: \_\_\_\_\_ Airline length or transducer depth: \_\_\_\_\_ feet

Measuring point height above/below land surface: \_\_\_\_\_ Airline pressure: \_\_\_\_\_ psi x 2.31 = \_\_\_\_\_ feet

Depth to water below land surface: \_\_\_\_\_ Static pressure: \_\_\_\_\_ psi x 2.31 = \_\_\_\_\_ feet

Measurement Status: Static  Airline  Borehole  Other  Flowing  Other

Measurement Method: Escape  Airline  Other

Length of time well was idle prior to measurement: \_\_\_\_\_

Measuring point description: \_\_\_\_\_

The measuring point is the reference point from which the measurement is made. Examples are: 1.2' across part of well cap; 1.17' post part on 1/4" wide pressure pipe.

Comments: \_\_\_\_\_

When did water use begin for this well under this permit? Month \_\_\_\_\_ Year \_\_\_\_\_

I hereby certify that the information on this report is accurate and represents the static water level in the well at the time of measurement.

Person making measurement (print): \_\_\_\_\_

Signature of measurer: \_\_\_\_\_

Company: \_\_\_\_\_

Licensed number (circle license type: CWRE, RG, PE, WWC, Pump Installer): \_\_\_\_\_

Daytime phone number: \_\_\_\_\_

Email address: \_\_\_\_\_

If you have any questions about this section, please call the OWRD Groundwater Data Group at 971-720-0864.

Return this form to: OWRD Groundwater Data Group, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

Or email it as an attachment to OWRD WaterLevelReporting@water.oregon.gov.

Additional forms can be obtained from our web site at: [https://www.oregon.gov/owrd/Forms/PDF/SWL\\_Reporting\\_Form.pdf](https://www.oregon.gov/owrd/Forms/PDF/SWL_Reporting_Form.pdf)

Last Update: 01/2017

**Oregon Water Resources Department  
PERMIT CONDITION WATER-LEVEL REPORTING FORM**

Your water right requires periodic static water-level measurements in your well. **Please review your water right to determine when measurements should be made, when reports are due, and who is allowed to make the measurements.** Keep a copy of all measurement reports for your records. **Your well must be measured regardless of whether it is in use.** Please contact the Department if you are no longer the holder of the water right that lists this well or if you wish to cancel the right.

UICID: 9999

Water Right(s):

Cert: 99999 OR \*

JOE MCWELLS  
999 E 9TH ST  
SALEEM, OR 97301



**The following is a list of your Points of Appropriation (POAs). Please use this information to submit your static water level measurements in one of two ways:**

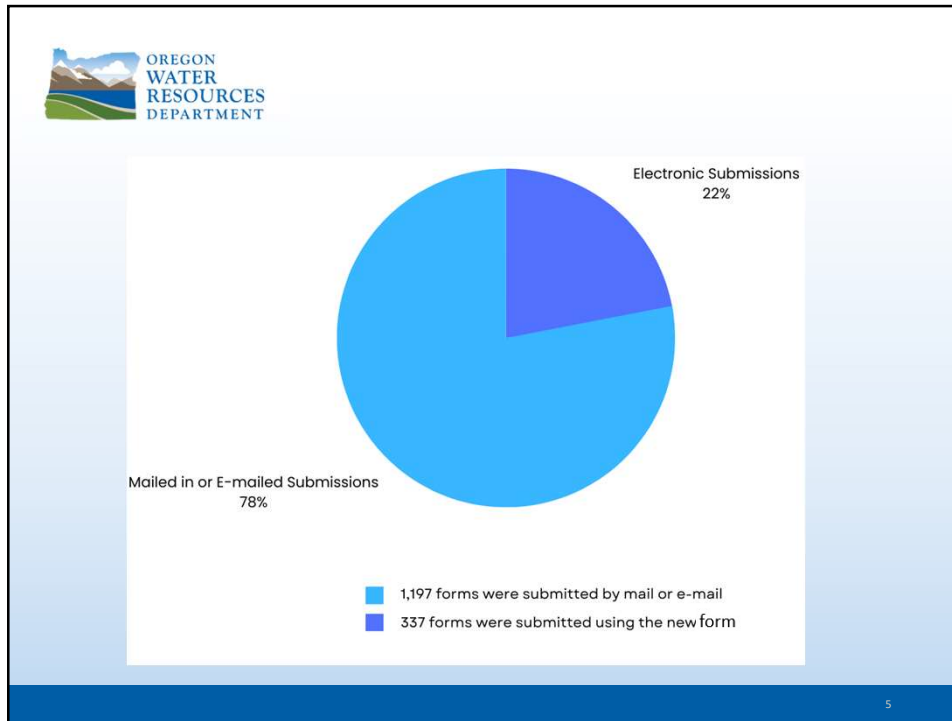
1. Scan the QR code with your smart phone to access our online form. The form will be different for each well so please use the QR code specific to [ga0322a\\_OR](https://www.oregon.gov/owrd/Forms/PDF/SWL_Reporting_Form.pdf)

2. Fill out a blank static water level measurement form, which we have included in this mailing and is available on our website at [https://www.oregon.gov/owrd/Forms/PDF/SWL\\_Reporting\\_Form.pdf](https://www.oregon.gov/owrd/Forms/PDF/SWL_Reporting_Form.pdf)

Return this form to: OWRD Groundwater Data Group, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

Or email it as an attachment to OWRD.WaterLevelReporting@water.oregon.gov


Water Rights/POA Information		Well Information		QR Code
Application	Permit	Transfer	Certificate	Well Log ID: MAR0012345
G 12345	G 54321	T 11111	99999	Well Tag: L-19999
POA: 1	WELL 1			Last Date: 5/1/2022
TRIS: 1.00N 1.20W 1 SW/SW				Last WL: 0.0
Loc: 100 FT N & 100 FT E FR SW COR, S1				MP Height: 1.0
				
Application	Permit	Transfer	Certificate	Well Log ID: _____
G 12345	G 54321	T 11111	99999	Well Tag: L- _____
POA: 2	WELL 2			Last Date: _____
TRIS: 1.00N 1.20W 1 SW/SW				Last WL: _____
Loc: 200 FT N & 200 FT E FR SW COR, S1				MP Height: _____
				



## Form Procedure

- Form
  - 1) Confirm water right & steps
    - add well info if not there
  - 2) Review previous water level if available
  - 3) Input new water level data
  - 4) Input your measurer information
  - 5) Indicate whether you want to be contacted by e-mail next year

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## E-mail Reminder

- Sign up for e-mail notifications to permit holder for the next years
  - Allows for a direct link via e-mail
- vs using QR code again

Oregon Groundwater Permit Water Level Reporting Form

**Contact Information for Permit Holder**

If you would like OWRD to update our contact information for future notification of requirements for submission of water levels on this permit, please add that info below. The fields are pre-filled with the current contact information.

**Name:**\*

**E-mail:**


Confirmation of this submission will be sent to this email address.

**Email Notifications to Permit Holder Next Year?**

Notifications will be sent by paper mail regardless of your answer to this question, but we are planning to begin sending notifications by email, which will allow more streamlined digital submission in the future. If you select "Yes" below, then notification will go to the email address above. This choice is independent of email notification to the person who made the measurement.

Yes
  No

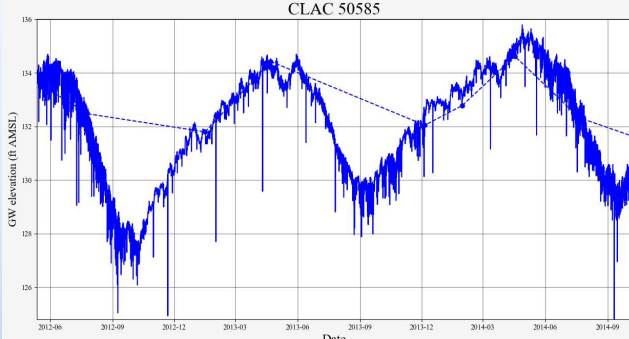
7



## What is Static?

- Goal is to capture annual high water levels, after winter recharge and before significant influence from pumping

What rate of change is likely slow enough to indicate limited influence of pumping?



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## Static procedure

- Observe surroundings and well being measured
- Take at least 2 measurements, at least 2 minutes apart
- If water levels agree within 0.02 feet, call it static
- If not, measure again every 2 minutes until within 0.02 feet or until a consistent rising / falling trend is established
- Report the observed status

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## Preview: updated conditions

- Existing permit conditions will not change
- For new permits:
  - Stricter reporting requirements
  - Less allowable decline in some cases to respect Prior Appropriation system
  - Exceeding allowable declines and/or failure to report are grounds for shut-off
- Read each permit carefully

2023

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## Key points

- Water levels may now be submitted online
- Take 2 measurements 2 minutes apart to determine if measurement is static
- Conditions on new permits will be stricter starting Fall 2023

2023

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## Comments & Suggestions

E-mail:  
[OWRD.WaterLevelReporting@water.Oregon.gov](mailto:OWRD.WaterLevelReporting@water.Oregon.gov)

Phone:  
971-720-0864

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# ASSIGNMENTS






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# Assignments

October 2023

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## 2023 Assignment

### Assignments

- What they are
- Why they are important
- Two types of Assignments
- Supporting documentation
- Partial Assignments
- Deficiencies
- Tips

2

2



## Assignment -What They Are

The process used to change the name of the holder of record on non-perfected, non-certificated water rights, being:

- Applications for Permits
- Permits
- Transfers
- Groundwater Registration Claims
- Limited Licenses

The Department receives between 250-400 Assignments per year

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## Assignment -What They Are Not

- Don't confuse "Assignments" with "Transfers"
- Assignments are used to change the name of the holder of record on pending, non-perfected water rights.
- Transfers are used to modify a perfected water right:
  - Place of Use
  - Point of Diversion or Appropriation (New and/or Additional)
  - Character of Use
  - Combo of the above

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## Assignments – Why?

Many Department processes require the signature of the “holder of record”. The “holder of record” is the party responsible for the water right as listed in the Department’s records and is the entity that is required to sign:

- Claims of Beneficial Use
- Extensions of Time
- Permit Amendments
- Groundwater Registration Modifications
- Requests for Reinstatement on Cancelled Permits

An assignment ensures that the Department is working with the individuals that have an interest in the water right transaction, and who will be responsible for finalizing the right.

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## Assignments – Two Types

1. Direct Assignment – current holder of record is available to assign their interest.
2. Proof of Ownership – the holder of record is not available to assign their interest.

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## Assignments – Direct

1. Direct Assignment – current water right holder of record is available to assign their interest.
  - In the case of a full assignment, each water right holder of record must sign the form.
  - “And” and “Or”
  - In the case of a partial assignment, each water right holder of record for the portion being assigned must sign the form.

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## Signatures – Direct Assignment

- If an entire water right is being assigned by holder(s) of record, it must be signed by all individuals listed on the water right.
- If a water right is in the name of three individuals, all three must sign.
  - Jack and Mary Smith, and John Jones

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## Assignments – Signature Box

The assignment form requires the current holder(s) of record to affirm the following:

- That they have notified all other **owners of the property** described in the water right.

Note – If there are other **owners of the property** described in the water right, then a list must be provided with their names and mailing address.

Tip - Don't confuse owners of the property with the water right holder(s) of record.

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## Assignments - Other Owners


Example of a situation where there may be an “Other Owner”.

Permit holder is leasing the property from a landowner. The permit holder retires. The landowner finds a new farmer to lease the land. The retired lease holder Assigns their interest in the permit the new lease holder.

- The Assignment would need to affirm that notice was given to, and include the name and mailing address of the landowner.

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## Direct Assignment Form

### Request for Assignment

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

If for multiple rights, a separate form and fee for each right will be required.

I \_\_\_\_\_  
(Name of Current Holder of Record)

\_\_\_\_\_  
(Mailing Address) (City) (State) (Zip) (Phone #)

hereby assign all my interest in and to the entire application/permit/transfer order/limited license/groundwater statement; (example, sold all the land authorized under the right)

hereby assign all my interest in and to a portion of application/permit/transfer order/limited license/groundwater statement; *(You must include a map showing the portion of the application/permit/transfer order/limited license/groundwater statement to be assigned. Example, sold a portion of the land authorized under the right)*

hereby assign a portion of my interest in and to the entire application/permit/transfer order/limited license/groundwater statement; (example, adding an additional person)

Application # \_\_\_\_\_; Permit # \_\_\_\_\_; Transfer Order # \_\_\_\_\_;

Limited License # \_\_\_\_\_; Groundwater Statement # \_\_\_\_\_;


as filed in the office of the Water Resources Director, to:

\_\_\_\_\_  
(Name of New Owner)

\_\_\_\_\_  
(Mailing Address) (City) (State) (Zip) (Phone #)

**OREGON** Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 (503) 986-0900 [www.oregon.gov/owrd](http://www.oregon.gov/owrd)  
 WATER RESOURCES DEPARTMENT

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## Direct Assignment Form - Actions

hereby assign all my interest in and to the entire application/permit/transfer order/limited license/groundwater statement; (example, sold all the land authorized under the right)

hereby assign all my interest in and to a portion of application/permit/transfer order/limited license/groundwater statement; *(You must include a map showing the portion of the application/permit/transfer order/limited license/groundwater statement to be assigned. Example, sold a portion of the land authorized under the right)*

hereby assign a portion of my interest in and to the entire application/permit/transfer order/limited license/groundwater statement; (example, adding an additional person)

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## Assignments – Signature Box

**Note:** If there are other owners of the property described in the application, permit, transfer order, limited license, or groundwater statement, you must provide a list of all other owners' names and mailing addresses and attach it to this form. Write the initials (first letters) of your first and last names at the spot indicated below.

\_\_\_\_\_ I hereby certify that I have notified all other owners of the property described in this application, permit, transfer order, limited license, or groundwater statement of this Request of Assignment.


Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Day)                      (Month)                      (Year)

Signature of Current Holder of Record \_\_\_\_\_

**Failure to provide any of the required information will result in the return of your application.**

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## Assignments – Proof of Ownership

2. Proof of Ownership – the holder of record is not available to assign their interest.

- What “not available” means?
  - The individual is deceased; or
  - The individual has moved, and their location is unknown.
- What “not available” does not mean?
  - The individual is available, but they are not pleasant to work with;
  - It is not convenient;
  - Other? – Contact Department to discuss other unique situations

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## Proof of Ownership – Documentation

- Documentation - This type of Assignment requires submittal of additional information to demonstrate that the person(s) requesting the assignment is authorized to assign the water right. The additional information includes:
  - Proof of Ownership Documentation:
    - Deed and legal description. (The deed shows who owns the land and the legal description describes the location of the purchased property)
    - Land Sales Contract
    - Court decrees such as divorce or probate

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## Proof of Ownership – Documentation

- Documentation Continued – Each situation is unique. Here are some other types of documentation that may be required:
  - Proof that an applicant, permit or transfer holder, licensee or registrant is deceased:
    - Copy of a Death Certificate
    - Court Order
    - Obituary
  - Demonstration that an attempt has been made to contact the current applicant, permit or transfer holder, licensee or registrant :
    - Copy of returned mail - undeliverable
    - Copy of returned certified letter

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## Proof of Attempt to Notify – Original Holder of Record

- The following types of documentation can be used to demonstrate that the party requesting an Assignment by Proof of Ownership has attempted to notify the holder(s) of record:
  - Copy of Returned Certified Mailing
  - Copy of a Returned Letter - Undeliverable
  - Copy of a Death Certificate
  - Court Order
  - Copy of an Obituary

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## Affirms The Following

- The form requires the requesting party to affirm the following:
  - That they are they are the current property owner and are attaching proof of ownership;
  - That they have the legal right to request the assignment;
  - That they have been unable to contact the owner(s) of record and have attached proof demonstrating that they have either given or attempted to give notice.
  - That the information provided is true and correct to the best of their knowledge

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## Proof of Ownership Assignment Form

**Request for Assignment  
By Proof of Ownership  
(If Water Right Holder is Not Available)**

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.  
If for multiple rights, a separate form and fee for each right will be required.

I, \_\_\_\_\_  
*(Name of Party Requesting Assignment)*

\_\_\_\_\_  
*(Mailing Address) (City) (State) (Zip) (Phone #)*

hereby request assignment of an entire application/permit/transfer order /limited license/groundwater statement;

hereby request assignment of a portion of application/permit/transfer order/limited license/groundwater statement; *(You must include a map showing the portion of the application/permit/ transfer order /limited license/groundwater statement to be assigned.)*

Application # \_\_\_\_\_; Permit # \_\_\_\_\_; Transfer Order # \_\_\_\_\_;


Limited License # \_\_\_\_\_; Groundwater Statement # \_\_\_\_\_;

\_\_\_\_\_  
*(Name of Current Holder of Record)*

\_\_\_\_\_  
*(Mailing Address) (City) (State) (Zip) (Phone #)*

OREGON  
Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
[www.oregon.gov/cowrd/](http://www.oregon.gov/cowrd/)

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## Proof of Ownership Assignment Form - Actions


hereby request assignment of an entire application/permit/transfer order /limited license/groundwater statement;

hereby request assignment of a portion of application/permit/transfer order/limited license/groundwater statement; *(You must include a map showing the portion of the application/permit/ transfer order /limited license/groundwater statement to be assigned.)*

Application # \_\_\_\_\_; Permit # \_\_\_\_\_; Transfer Order # \_\_\_\_\_;

Limited License # \_\_\_\_\_; Groundwater Statement # \_\_\_\_\_;

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## Affirms The Following

**Note:** Write the initials (first letters) of your first and last names at the spots indicated below \_\_\_\_.

- 1) \_\_\_\_ I certify that I am the current owner of the property described in this application, permit, transfer order, limited license, or groundwater statement. I have attached proof of ownership that may include but not be limited to: a copy of the deed to the land, a copy of a land sales contract, a court order or decree, documentation of survivorship of property held jointly. The Department cannot accept a copy of a tax statement.
- 2) \_\_\_\_ I have the legal right to request assignment under OAR 690-310-0280 and 690-320-0060.
- 3) \_\_\_\_ I have not been able to contact the owner(s) of record for the above referenced transaction. I have attached proof acceptable to the Department that notice of the assignment has been given or attempted for each identified property owner not a party to the assignment. ORS 537.220(2) Failure to submit this proof will result in the return of your request. (Proof may include but not be limited to: a copy of returned certified mailing, copy of a Death Certificate, or a court order.)
- 4) \_\_\_\_ I further certify that the information provided herein is true and correct to the best of my knowledge.

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Day) (Month) (Year)

Signature of Party Requesting Assignment \_\_\_\_\_

**Failure to provide any of the required information will result in the return of your application.**

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## Signatures – By Proof

- If by proof of ownership
  - Must be signed by all parties requesting to be listed as a water right holder of record.
  - Only those individuals who sign the form will have their names confirmed as a holder of record.

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## Assignments - Partial

Regardless of the type of assignment, a partial assignment request must include:

- A map showing the location of the lands being partially assigned; and
- A deed that includes the legal description for the area involved in the partial assignment.
- Important - In the case of a partial Assignment, it is required that proof demonstrating that the requestor has either given or attempted to notify each property owner not a party to the Assignment.

Note: Partial assignments can be made by direct assignment or an assignment by proof.

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## Proof of Attempt to Notify – Property Owners

- The following types of documentation can be used to demonstrate that the party requesting an Assignment has attempted to notify all other property owners not a party to the Assignment:
  - Copy of returned certified mailing

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## Assignments - Deficiencies

- Proper fees not submitted – Current fee = \$120
- Form is not signed
- Water right transaction number not identified:
  - Application number
  - Permit Number
  - Transfer Application Number
  - Limited license Number
  - Groundwater Statement Number (GR)

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## Assignments - Deficiencies

- Unacceptable proof of ownership provided such as
  - Tax statements
  - A copy of the water right document
  - Business Registry
- Incomplete proof of ownership
  - Deed must include legal description (ex: Exhibit A)
  - Sales contract must include legal description
- Failure to provide documentation of attempt made to contact the current water right holder(s) or record

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## Assignments - Tips

- Always download the most current form from the Department's web site.
- Do not modify the Assignment form.
- Review the record carefully to ensure that all the appropriate people sign the form. In addition, check WRIS to see who is listed there. Copies of previous Assignment approvals may be found under "Scanned Documents".
- If you have additional questions concerning the holders of record, contact the Department.
- Always include the type and number of the Department record being Assigned.

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## Assignments - Tips

- For assignments on Groundwater Registrations, additional research may be necessary to confirm the current registrant on file with Department records by searching Miscellaneous Records through the Department's "Vault".
- Select "Order Volumes" from the dropdown menu for "Choose a document type" and enter the Groundwater Registration number into the Order Description Keyword(s) field.
- This may also be a helpful tool for older assignments on Permits.

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## Assignment – Scenario

- Assignments are not always straightforward. In the following scenario, we describe a situation that requires both signatures from current holders of record, plus, evidence to support that an additional holder of record is not available to directly assign their interest.

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## Assignment – Scenario

- A property is sold. A final order has been issued to approve a change in the point of diversion for the water right that covers the entire property. The transfer is in the name of four individuals. One of the four individuals is deceased.
- What form would you use to Assign this Transfer?
- What evidence would be necessary?

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## Assignment – Scenario

- The Department would recommend that the Assignment be completed using the Direct Assignment Form.
- Because one of the holders of record is deceased, supporting documentation such as a copy of a Death Certificate or an Obituary would need to be included with the Assignment materials.

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## Ownership Updates - Certificates

- Can names on a certificate be changed through the Assignment process? - NO
  - Names on certificates cannot be changed.
  - New property owners can submit an Ownership Update Form to the Department.
  - No Fee is required to submit this form.
  - The submittal of an Ownership Update does not cause the Department to make any changes to the Certificate, but copies of the form are retained in Department records and available online through “Scanned Documents”.

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## Assignments - SWR's

- Can names on a Surface Water Registration (SWR) be changed through the Assignment process? - NO
  - Names on SWRs are changed through the amendment process as described in OAR 690-028-0045(1):
    - The request must be in writing; and
    - The request shall include documentation that the water has been used within the past five years.

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## Assignments

Who to Contact For Help:

Mary Bjork

Phone: 503-979-9895

e-mail: [Mary.F.Bjork@water.oregon.gov](mailto:Mary.F.Bjork@water.oregon.gov)

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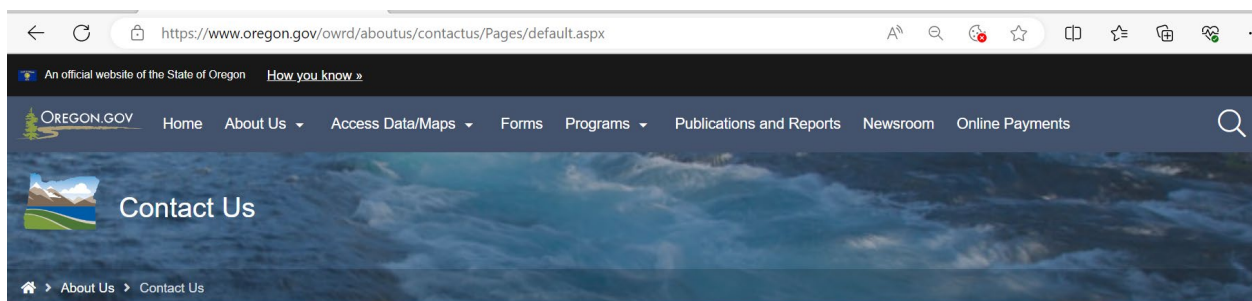
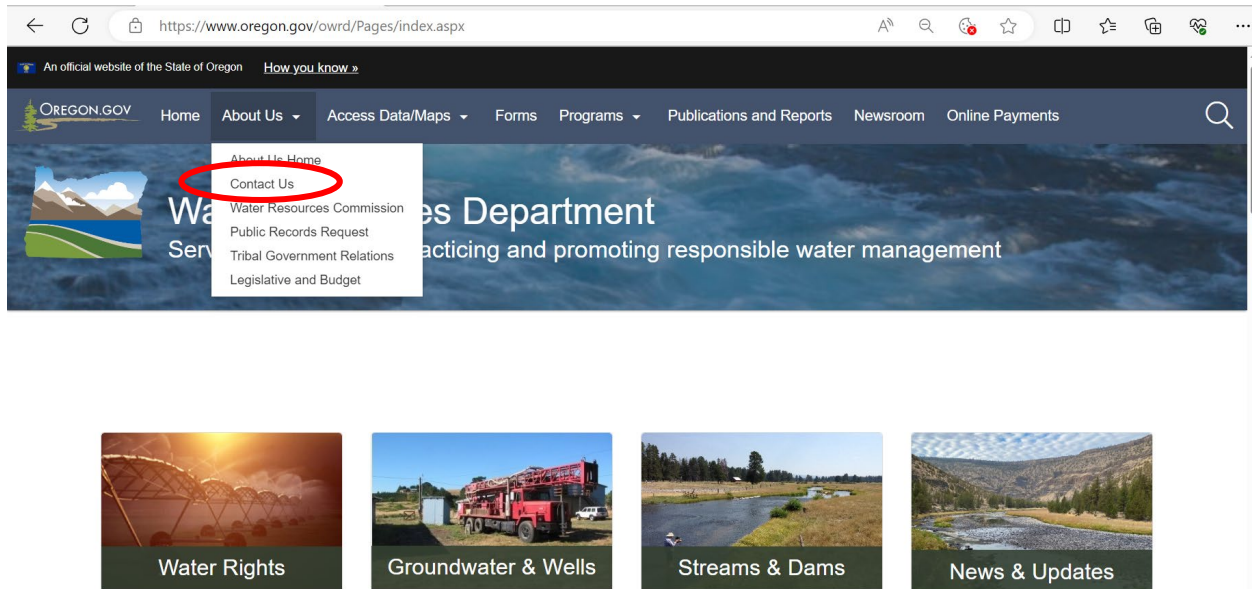


# WATER RESOURCES CONTACT INFORMATION



# Oregon Water Resources Department Contact Information

- Staff Directories
- Directory of Services
- Regional Offices and Watermasters



## Address, Directions, Parking and Map

- Staff Directory
- Directory of Services
- Regional Offices and Watermasters Directory

### Oregon Water Resources Department Main Office





# Staff Directory

The screenshot shows a web browser window with the URL <https://www.oregon.gov/owrd/aboutus/contactus/Pages/Staff-Directory.aspx>. The page header includes the Oregon.gov logo and navigation links: Home, About Us, Access Data/Maps, Forms, Programs, Publications and Reports, Newsroom, and Online Payments. The main content area features a blue background with the text "Contact Us" and a breadcrumb trail: About Us > Contact Us > Staff Directory. Below this, the "Staff Directory" section is titled, followed by "Staff Phone Numbers" and a paragraph explaining the search process: "Search for state employees using the Employee Search Application. Although not all state employees are listed, all programs of state government are listed along with contact information." The phrase "Employee Search Application" is circled in red. Below that is the "OWRD Directory of Services" section with a link to check out the directory.

The screenshot shows a web browser window with the URL <https://employeesearch.dasapp.oregon.gov>. The page features a large banner image of a lake and mountains with the Oregon State Seal and the text "Search state government employees". Below the banner is the heading "Welcome to Oregon's state employee search" and a sub-heading "Search Oregon state government employees by first name and/or last name; narrow results by including an agency. Search results are limited to 200." The search interface includes three input fields: "Agency:" (a dropdown menu), "First Name:", and "Last Name:". At the bottom are "Search" and "Start Over" buttons. To the right of the search fields is a "Site usage policy" box containing the following text: "This search tool is made available to locate employees of Oregon state government's Executive Branch for state business purposes. It is not for use as a mailing list. The tool is updated regularly, but may not contain all current information. State agencies maintain their employees' information."

# Oregon Water Resources Department Directory of Services

Staff Directory

Staff Phone Numbers

Search for state employees using the Employee Search Application. Although not all state employees are listed, all programs of state government are listed along with contact information.

OWRD Directory of Services

Check out the OWRD Directory of Services for agency contact information.

Directory of Services

Note: Where more than one person is listed in the "Staff" column, the first person is the primary contact, and the others should be contacted in the order shown.

Search: a

Title	Staff	Phone #	Link
Accounts Payable	<a href="#">Abby Hungate</a>	503-586-6622	
Accounts Receivable	<a href="#">Kim Hall</a>	503-986-0923	
Adjudication	<a href="#">Dwight French</a>	503-871-7292	<a href="#">Link</a>

## WRSD DIVISION PHONE LIST BY FIRST NAME

	WRSD	New Cell # or landline #
1	Adam Frederick	971-707-8400
2	Amanda Mather	971-718-7937
3	Ann Reece	503-979-3214
4	Arla Davis	503-979-3129
5	Breck Flanagan-Caldwell	971-718-2934
6	Codi Holmes	503-979-3184
7	Corey Courchane	503-979-3917
8	Corie Lovrien	503-986-0801
9	Craig Kohanek	503-979-3185
10	Dante Luongo	971-304-5006
11	Dianna Brainard	971-375-1602
12	Dwight French	503 871-7292
13	Elyse Richman	Desk: 503-986-0898/Cell:971-701-5485
14	Gerry Clark	503-979-9103
15	Ian Anderson	503 979 9896
16	Jeffrey Pierceall	503 979-3213
17	Joan Smith	Desk: 503-986-0892/Cell:503-586-6184
18	Jonnine Skaug	503-979-3943
19	Julie Baustian	503-979-9931
20	Katie Ratcliffe	971-338-8105
21	Kelly Starnes	503-979-3511
22	Kerri Cope	503 979-9544
23	Kerry Kavanagh	503 979-3208
24	Kim French	503- 979-9607
25	Kyler Freilingner	458-253-0235
26	Laura Wilke	971-375-7492
27	Leona Albin	503-986-0818 (landline only)
28	Lisa Jaramillo	503-871-1889
29	Lucinda Vranizan	971-375-2256
30	Martin Sanchez	971- 375-6414
31	Mary Bjork	503-979-9895
32	Nick Reese	971-719-1058
33	Nicole Ledbetter	971-718-2222
34	Sarah Henderson	503-979-9872
35	Scott Grew	503 -986-0890 (landline only)
36	Stacy Phillips	503-979-9948
37	Tamera Smith	458-253-0597
38	Tonya Miller	503-979-9983
39	Will Davidson	503-507-2749
		9/1/2023

**WATER RIGHTS CONTACT LIST**

9/1/23

<b>Nature of Question:</b>	<b>Contact:</b>
STATUS OF PROCESSING WATER RIGHTS <i>(Initial Review, Proposed Final Order or Final Order - IR, PFO, FO)</i>	Caseworker: <b>[see below]</b> CSG: <b>503-986-0900 (Press 2)</b>
ALTERNATE PONDS (SMALL RESERVOIRS)	Caseworker: <b>[see below]</b> CSG: <b>503-986-0900 (Press 2)</b>
WATER RIGHTS RESEARCH	CSG: <b>503-986-0900 (Press 2)</b>
GENERAL WATER RIGHT QUESTIONS	CSG: <b>503-986-0900 (Press 2)</b>
APPLICATION ACCEPTANCE	CSG: <b>503-986-0900 (Press 2)</b>
PROTESTS / HEARINGS	Will Davidson: <b>503-507-2749</b>
ASSIGNMENTS	Mary Bjork: <b>503-979-9895</b>
DROUGHT	Caseworker: <b>[see below]</b>
EXTENSIONS OF TIME	Jeffrey Pierceall: <b>503-979-3213</b>
CERTIFICATES	Gerry Clark: <b>503-979-9103</b> Codi Holmes: <b>503-979-3184</b> Jonnine Skaug: <b>503-979-3943</b>
CWRE (Certified Water Rights Examiner)	Gerry Clark: <b>503-979-9103</b>
LIMITED LICENSE COMPLIANCE W/DEVELOPMENT DEADLINES ON PERMITS	Mary Bjork: <b>503-979-9895</b>
ADJUDICATIONS SURFACE WATER REGISTRATIONS	Jeffrey Pierceall: <b>503-979-3213</b>
CLAIMS OF BENEFICIAL USE & FINAL PROOF SURVEYS	Gerry Clark: <b>503-979-9103</b>
HYDROELECTRIC	Craig Kohanek: <b>503-979-3185</b> Martin Sanchez: <b>971-375-6414</b>
WEEKLY PUBLIC NOTICE	Julie Baustian: <b>503-979-9931</b> Tonya Miller: <b>503-979-9983</b>
REIMBURSEMENT AUTHORITY	Certificates Transfers Kerry Kavanagh: <b>503- 979-3208</b> Kelly Starnes: <b>503- 979-3511</b>
CERTIFICATE CANCELLATION	Non-Voluntary Voluntary Will Davidson: <b>503-507-2749</b> Ann Reece: <b>503-979-3214</b>

**WATER RIGHT APPLICATION CASEWORKERS:****Amanda Mather: 971-718-7937****Adam Frederick: 971-707-8400****Dianna Brainard: 971-375-1602****Lucinda Vranizan: 971-375-2256**

## Transfers and Conservation Section – Contact List

Activity	1 <sup>st</sup> Contact	Phone #	2 <sup>nd</sup> Contact	Phone #
Allocation of Conserved Water	Corey Courchane	503-979-3917	Lisa Jaramillo	503-871-1889
Deschutes Groundwater Mitigation	Sarah Henderson	503-979-9872	Jeremy Giffin	541-306-4808
District Transfer	Ann Reece	503-979-3214	Joan Smith	503-986-0892
Ground Water Registration Modification	Kelly Starnes	503-979-3511	Arla Davis Joan Smith Scott Grew	503-979-3129 503-986-0892 503-986-0890
Instream Lease/Transfer	Sarah Henderson	503-979-9872	Elyse Richman	503-986-0898
Permit Amendment	Kelly Starnes	503-979-3511	Stacy Phillips Arla Davis Joan Smith Scott Grew	503-979-9948 503-979-3129 503-986-0892 503-986-0890
Reimbursement Authority Transfer	Kelly Starnes	503-979-3511	Dante Luongo Kim French	971-304-5006 503-979-9607
Reclaimed Water Use Program	Kerri Cope	503-9799-544	Lisa Jaramillo	503-871-1889
Split a Permit	Arla Davis	503-979-3129	Kelly Starnes	503-979-3511
Transfer - Extension of Time Apps	Ann Reece	503-979-3214	Stacy Phillips	503-979-9948
Transfer - Protest & Appeal	Will Davidson	503-979-9160	Dwight French	503-871-7292
Transfer – Permanent	Arla Davis Joan Smith Scott Grew	503-979-3129 503-986-0892 503-986-0890	Kelly Starnes	503-979-3511
Temporary Transfer – including Drought Transfer	Kelly Starnes	503-979-3511	Arla Davis Joan Smith Scott Grew	503-979-3129 503-986-0892 503-986-0890
Water Management & Conservation Plans	Kerri Cope Tamera Smith	503-979-9544 458-253-0597	Kerri Cope Tamera Smith	503-979-9544 458-253-0597

**NOTE:** If the 1<sup>st</sup> *and* 2<sup>nd</sup> contact person listed above are **not** available, then call anyone in the section.

Section Staff	Phone #	Section Staff	Phone #
Ann Reece	503-979-3214	Kerri Cope	503-979-9544
Arla Davis	503-979-3129	Kim French	503-979-9607
Corey Courchane	503-979-3917	Lisa Jaramillo	503-871-1889
Dante Luongo	971-304-5006	Sarah Henderson	503-979-9872
Elyse Richman	503-986-0898	Scott Grew	503-986-0890
Joan Smith	503-986-0892	Stacy Phillips	503-979-9948
Julie Baustian	503-979-9931	Tamera Smith	458-253-0597
Kelly Starnes	503-979-3511		September 2023

# Watermasters

	<b>Watermaster</b>	<b>Address</b>	<b>Phone #</b>
District-01 NW Region	<a href="#">Nikki Hendricks</a>	c/o Port of Tillamook Bay 4000 Blimp Blvd Suite 400 Tillamook, OR 97141	<a href="#">503-815-1967</a>
District-02 NW Region	<a href="#">Lanaya Blakely</a>	125 East 8th Avenue Eugene, OR 97401	<a href="#">541-682-3620</a>
District-03 NC Region	<a href="#">Robert Wood</a>	2705 E 2nd Street The Dalles, OR 97058	<a href="#">541-506-2652</a>
District-04 E Region	<a href="#">Eric Julsrud</a>	Grant County Courthouse 201 S Humbolt, Suite 180 Canyon City, OR 97820	<a href="#">541-575-0119</a>
District-05 NC Region	<a href="#">Greg Silbernagel</a>	116 SE Dorion Ave Pendleton, OR 97801	<a href="#">541-278-5456</a>
District-06 E Region	<a href="#">Shad Hattan</a>	10507 N McAlister Road #6 La Grande, OR 97850	<a href="#">541-963-1031</a>
District-07 E Region	<a href="#">David Bates</a>	401 NE First Street, Suite 11 Enterprise, OR 97828	<a href="#">541-398-8172</a>
District-08 E Region	<a href="#">Marcy Osborn</a>	39155 Pocahontas Road Baker City, OR 97814	<a href="#">541-523-8224 Ext 231</a>
District-09 E Region	<a href="#">Jered Hoshaw</a>	Malheur County Courthouse #4 251 B Street West Vale, OR 97918	<a href="#">541-473-5130</a>
District-10 E Region	<a href="#">Donald Swindlehurst</a>	Harney County Courthouse 450 N Buena Vista #3 Burns, OR 97720	<a href="#">541-573-2591</a>
District-11 SC Region	<a href="#">Jeremy Giffin</a>	231 SW Scalehouse Loop, Suite 103 Bend, OR 97702	<a href="#">541-306-6885</a>
District-12 SC Region	<a href="#">Matt Anderson</a>	513 Center Street Lakeview, OR 97630	<a href="#">541-947-6038</a>
District-13 SW Region	<a href="#">Shavon Haynes</a>	10 S Oakdale, Room 309A Medford, OR 97501 <a href="#">District 13 Complaint Form</a>	<a href="#">541-774-6880</a>
District-14 SW Region	<a href="#">Scott Ceciliani</a>	700 NW Dimmick Street Grants Pass, OR 97526	<a href="#">541-476-1288</a>

## Watermasters

	<b>Watermaster</b>	<b>Address</b>	<b>Phone #</b>
District-15 SW Region	<a href="#">Susan Douthit</a>	Douglas County Courthouse, Room 306 Roseburg, OR 97470  <b>Coquille Satellite Office:</b> 225 N Adams Coquille, OR 97423	<a href="tel:541-440-4255">541-440-4255</a>
District-16 NW Region	<a href="#">Greg Wacker</a>	725 Summer Street NE, Suite A Salem, OR 97301	<a href="tel:971-719-6262">971-719-6262</a>
District-17 SC Region	<a href="#">Tom Skiles</a>	3125 Crosby Ave Klamath Falls, OR 97603	<a href="tel:971-375-5424">971-375-5424</a>
District-18 NW Region	<a href="#">Jake Constans</a>	1400 SW Walnut Street, MS-49 Hillsboro, OR 97123	<a href="tel:503-846-7780">503-846-7780</a>
District-20 NW Region	<a href="#">Amy Landvoigt</a>	10722 SE Highway 212 Clackamas, OR 97015	<a href="tel:503-312-1743">503-312-1743</a>
District-21 NC Region	<a href="#">Ken Thiemann</a>	<b>Physical Address:</b> 221 S Oregon Street Condon, OR 97823 <b>Mailing Address:</b> PO Box 427 Condon, OR 97823	<a href="tel:541-969-8799">541-969-8799</a>
District-22 NW Region	<a href="#">Joel Plahn</a>	725 Summer Street NE, Suite A Salem, OR 97301	<a href="tel:503-508-2394">503-508-2394</a>
District-23 NC Region	<a href="#">Luke Martin</a>	707 E Broadway Ave Milton-Freewater, OR 97862	<a href="tel:541-371-0818">541-371-0818</a>
District-24 SC Region	<a href="#">Bill Nashem</a>	231 SW Scalehouse Loop, Suite 103 Bend, OR 97702	<a href="tel:541-639-4109">541-639-4109</a>

# RESOURCES

- **HOW TO SELECT, INSTALL, AND READ A FLOW METER**
- **HOW TO REPORT WATER USE ONLINE**
- **WRD ATLAS OF WATER RIGHTS BY TYPE AND USE**
- **WRIS CODE KEY**
- **QUICK REFERENCE GUIDE TO ORS AND OAR**
- **PUMP TEST OVERVIEW**
- **WELL ID PROGRAM OVERVIEW AND APPLICATION**
- **HOW TO SEARCH FOR A WELL REPORT (WELL LOG)**
- **FEE SCHEDULE**
- **CWRE CONTACT INFORMATION UPDATING PROCEDURES**







State of Oregon  
 Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem Oregon 97301-1266  
 (503) 986-0900 www.wrd.state.or.us

## How to Select and Install a Suitable Flow Measuring Device

**Note: Installation of a measuring device is subject to inspection and approval by the Watermaster.**

### For Piped Diversions

Diversions of less than or equal to 0.01 cfs (about 4.5 gpm):

- Install a flow regulator or control valve (*commonly called a dole valve*) to allow water to flow at a pre-determined rate, or a flow meter, or other device approved by local Watermaster.

Flow Meter Specifications for total diversions of greater than 0.01 cfs:

- Meter type may be magnetic head, ultrasonic, vortex cone, velocity-propeller, shunt line or venturi.
- The meter must have an accuracy rating within plus or minus 2% of actual flow rate for the full range of flow rates allowed.
- The register face must show a cumulative "totalizer", and have a protective plate or cover.
- The meter must measure the instantaneous rate of flow, either displayed directly with a readout or a dial, or by calculating using the totalizer. To calculate the flow: 1) Record a totalizer reading; 2) Run the system for a set number of minutes; and 3) Record another totalizer reading.

Calculation: (end reading minus beginning reading) divided by # of minutes = x measurement units/minute flow rate.

- The units of measure may be in acre-feet, cubic feet or gallons. Any multiplication factor must be clearly indicated on the face of the register.
- Totalizer must have sufficient capacity to record the maximum quantity of water authorized to be pumped over a period of 2 years without "rolling over" to show 0000000.
- Meter may be protected with a locked shelter, provided the Watermaster has access.

Flow Meter Installation:

- Match the meter to pipe size according to manufacturer's specifications.
- There must not be any turnouts or diversions between the source of water and the meter.
- Install the meter according to manufacturer's directions, which is typically in-line with a straight, horizontal length of pipe at least 5 pipe diameters upstream and downstream from any valve, elbow or other obstruction.
- Position the meter so that the pipe will be full at all times when water is being measured.
- Note the use of variable speed pump drives, which can pump a wide range of rates, may require a valve installed after the flow meter to obtain a full pipe of water.

### For Ditch or Open Channel Diversions

- To measure only instantaneous flow: Use weirs, submerged orifice devices, Parshall flumes, long-throated or ramp flumes.
- To measure instantaneous flow and volume: Use a method for measurement of diversion discharge. Establish or maintain a rating curve with values for the full range from low to high discharge, conforming to U.S. Geological Survey methods for velocity-area measurements.

### For Reservoirs

- Install a staff gage to measure the full range of storage volume. Establish a rating elevation-capacity table to relate water surface elevation to storage volume. In areas where the reservoir typically ices over during the winter, significant protection of the staff plate is required.

**Contact your local Watermaster for more information, and to obtain approval of your measuring device. If you have any concerns, please contact the Watermaster prior to purchasing and installing your measurement device.**

*Last revised: 12/1/2016*

# How to Read Totalizing Flow Meters

Reading a water meter is similar to reading the odometer in your car. Reading your meter can help you identify leaks, track pumping costs, and discover ways to conserve water. To determine water use for a period of time between two meter readings, subtract the earlier reading from the later reading. (Example: July 31 reading minus June 30 reading = amount of water used in July.) Below are examples of two common types of meters.

**If your meter does not look like these examples, contact the manufacturer or the meter installer for information.**

## Example 1: Meter Face Shows Only Cumulative Volume—

**Totalizer Has 1 or 2 Fixed 0s as Place-holders + Sweep Hand Shows Amounts Represented by Zero Place-holders**

Up to 9.9 units (ones and tenths) are read by sweep hand

1.0 unit

Sweep hand here reads 0.8

**One Fixed 0**  
Totalizer reads to nearest 10 units

Up to 99 units (tens and ones) are read by sweep hand

10 units

**Two Fixed 0s**  
Totalizer reads to nearest 100 units

Sweep hand here reads 89

1. Read totalizer (including all fixed "0"s) without adding decimal points  
2. Then add amount shown by sweep hand

0	1	5	2	2	5	0
Totalizer reading: 0,152,250						
Sweep hand reading: + 0.8						
Amount: = 152,250.8 G						
Unit of measurement = Gallons (G)						

0	0	0	2	2	6	0	0
Totalizer reading: 00,022,600 (not quite to 700)							
Sweep hand reading: + 89							
Amount: = 22,689 G							
Unit of measurement = Gallons (G)							

## Example 2: Meter Face Shows Both Instantaneous Flow Rate and Cumulative Volume—

**Sweep Hand Shows Instantaneous Rate, and "Odometer-like" Totalizer Shows Cumulative Volume**

**Instantaneous Flow Rate**  
Sweep hand shows instantaneous flow rate around the dial from 0 to 2500 gallons per minute (showing 700+ gpm in this example). If water is not flowing, the sweep hand will show "0". Note: This rate of flow is separate, and not to be added to the totalizer reading.

**Cumulative Volume**  
Totalizer shows cumulative water volume.

Multiplier to be applied to totalizer reading (0.001 in this example, but it could be 10, 100, 1,000, etc.)

Measurement unit (acre feet in this example, but it could be gallons, cubic feet, etc.) Note: The totalizer unit of volume measurement may be different from the unit of instantaneous flow rate.

0	0	3	2	5	5
Water Volume (read the totalizer numbers from left to right, without any decimal points)					
Totalizer Reading: 003255					
Multiplier: X 0.001					
Amount: = 3.255 AF					
Unit of measurement = Acre Feet (AF)					



# Water Use Measurement and Reporting

## Overview of Water Law

Under Oregon law, all water belongs to the public. With some exceptions, cities, irrigators, businesses, and other water users must obtain a permit or license from the Water Resources Department to use water.

Most water rights are obtained in a three-step process. The applicant first must apply to the Department for a permit to use water. Once a permit is granted, the applicant must construct a water system and begin using water. After water is used, the permit holder must submit specific information to the Department detailing how and where water has been applied. If water has been used according to the provisions of the permit, a water right certificate is issued.

## Water Use Measurement and Reporting Requirements

Below, the Department has outlined its most common authorities related to water use measurement and reporting.

### *Measuring and Reporting Water Use*

Currently, there are about 15,000 water rights that are required to measure and report water use. This is about 16 percent of the total number of water rights in the state. In 2017, the Department received water use data for approximately 12,000 water rights. Water right holders may be required to both measure and report water use as specified below:

- Pursuant to ORS 537.099, Oregon requires governmental entities such as irrigation districts, state or federal agencies, and municipal water providers to measure and report water use.
- Starting in the early 1990's, the Department began adding water measurement and/or reporting conditions to new permits, based on the size of the water right. Smaller water rights may have a condition stating that "water measurement may be required," while larger permits may have a condition that "water measurement and reporting is required."
- Water users in a Serious Water Management Problem Area (SWMPA) or in a Critical Groundwater Area may be required to measure and report water use. Currently, there is one established SWMPA in the Walla Walla sub-basin, and there are seven Critical Groundwater Areas.

### *Measuring Water Use – Water Distribution*

In instances where water use measurement and reporting are not required as discussed above, the watermaster generally can require water *measurement* under ORS 540.310 for the purposes of water distribution and management. Under this provision, *there is no authorization to require reporting of water use.*

### *Measuring Water Use – 2000 Strategic Measurement Plan*

In 2000, the Water Resources Commission developed a strategic plan for improving surface water measurement in areas with the greatest impact on streamflows with the greatest needs for fish. The Department developed a statewide inventory of 2,385 "significant surface water diversions" within 300 high priority watersheds across the state. Significant surface water diversions included: (1) water rights that are required by the Department to measure or report through a water right condition; and (2) significant diversions in high priority watersheds. As of December 2018, 1,084 of the significant diversions had measuring devices installed and 696 were inactive, leaving 611 diversions still needing measuring devices installed. In recent years, the Department has identified a need to revisit its 2000 Strategic Measurement Plan to better address high-priority water management and policy needs for both surface and groundwater.

## Use of Data

Water measurement can help the Department to protect existing water right holders, facilitate planning for future water supplies, maximize the beneficial uses for both instream and out-of-stream users, and prevent time-consuming and costly conflicts over water use. Water measurement data are used in the following areas:

- **Science:** Water use data is utilized in basin groundwater studies to assist with characterizing the aquifers and in long-term management of aquifers, including critical groundwater areas. Additionally, this data is used to help refine the Department's surface water availability model, which is used to evaluate whether new water rights can be issued.
- **Water Management and Distribution:** Water measurement information aids watermasters in efficiently distributing and regulating water use for the protection of senior water rights, resolving disputes among water users, and ensuring use is within the limits of the water rights.
- **Review of Water Right Transactions:** Water use measurement data provide evidence of use for water right permit holders to prove up and obtain a water right certificate. Historical water use data assists in injury determinations for water right transfers, permit amendments, exchanges, and voluntary instream leases. Water use information supports water use efficiency projects and conservation projects.
- **Management by Water Users:** For water users, measurement information increases awareness of the amount of water they use and provides a basis for self-regulation. Measurement data also helps water users identify system inefficiencies, track stored water, reduce power costs, measure conservation benefits, develop improvements in their business operations, and plan for future needs. In addition, water use data provides evidence for a water right holder to prove up on a water right, rebut allegations of forfeiture for non-use, or demonstrate the validity of water rights to potential buyers. Governmental entities also use this information in developing agricultural and municipal water management and conservation plans.

## Measurement Challenges

When analyzing water use measurement data supplied by the water right holder, the Department reviews the quality of the data and utilizes only data that it has a reasonable confidence in its accuracy. Accurate water use data is beneficial to water managers as well as water users; however, properly collecting water use data can be challenging. To ensure data are accurate, the correct device must be properly installed according to the engineering specifications and some devices must be periodically calibrated. Once installed, the device must be maintained in good working condition, which can be hampered by natural conditions such as sand, ice, debris, or algae. The water user must also read and report the data accurately, including correctly identifying the points of diversion/appropriation, and the associated water rights. The Department frequently works with water users to address these challenges and improve data accuracy.

The cost of measuring devices can also be a challenge for water users, with devices costing several hundred to several thousand dollars. The Legislature's continued capitalization of the cost-share measurement program has allowed the Department to provide funding to assist water users with installing or replacing water measurement devices on surface water diversions, reducing users' concerns about the cost of installing these devices.

## Targeted Water Use Measurement Efforts

Oregon's Integrated Water Resources Strategy provides a blueprint for meeting Oregon's instream and out-of-stream water needs. The need for better data and water use measurement is highlighted throughout many actions of the Strategy.

Given that the State has limited resources to invest in collecting and analyzing data, the Department has sought to prioritize its data collection efforts in areas of highest need through targeted approaches.

## Legislative Contact

Racquel Rancier, Senior Policy Coordinator, [racquel.r.rancier@oregon.gov](mailto:racquel.r.rancier@oregon.gov)

## Reporting Water Use Online at [www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)

- Step 1:** If “Water Use Reporting” is available under “Water Rights” on the home page, select that, otherwise, at the top of the page, select “Programs”, then “Programs Home”, then “Water Use Reporting”.
- Step 2:** Select “Access Online Reporting”.
- Step 3:** Enter your User ID number and Password (same number) in the input boxes. If you don’t know your User ID number, call 971-345-7489 or email [owrd.waterusereporting@water.oregon.gov](mailto:owrd.waterusereporting@water.oregon.gov).
- Step 4:** Once you are logged in, view your contact information and update it if needed; then click “Next”.
- Step 5:** You will see a list of all the diversion points that are set up for reporting. To view more than five reporting points at a time, change the number in the “Records per Page” box and click “Enter” or choose “View All”:

### Water Use Reporting Entry

COMPANY NAME  
CONTACT NAME  
STREET ADDRESS  
CITY, STATE ZIP  
User ID: XXXXX

Records per Page:  [View All](#)

Report ID	Facility	Associated Water Right(s)	Point of diversion location description from water right
<a href="#">Select</a> 77699	WELL 1	Cert: 99999* WELL 1; 2S-8E-4-SE SE; 1024 FT N & 40 FT W FROM SE COR, S 4	
<a href="#">Select</a> 77700	BEAR CREEK POD 1	Permit S-94321* POD 1; 2S-8E-5-NE NW; 960 FT S & 1440 FT E FM NW COR, S 5	


- Step 6:** Click the “Select” link for a particular point of diversion, and previously reported data will show.
- Step 7:** To add data, scroll down to the red lettering near the bottom of the window. Then use the dropdown menu to select the desired water year, and click “Add”.

Add data for this point of diversion for selected year:

- Step 8:** A set of input boxes will appear.

Unit	Oct 2014	Nov 2014	Dec 2014	Jan 2015	Feb 2015	Mar 2015	Apr 2015	May 2015	Jun 2015	Jul 2015	Aug 2015	Sep 2015
Rpt ID 11006 Water Year: 2015	Gallons											
Method of measurement used: <input type="text"/>												
Additional Comments (optional): <input type="text"/>												
Name of the person submitting the report: <input type="text"/>												
Company, if applicable: <input type="text"/>												
Phone number, if different from that of water right holder: <input type="text"/>												
If used for irrigation, total number of acres irrigated: <input type="text"/>												

Enter information into each box (either use amounts or zeroes for each month) and all other applicable information, press “Submit”. If necessary, follow the prompt in the pop up window to fix any errors. Then click “OK”.

- Step 9:** A confirmation message stating “The report has been submitted successfully” will appear. The data will appear in the list of submitted reports.
- Step 10:** To report use for additional diversion points, click on the “Return to the list of all reporting IDs” link at the bottom of the screen. (If you have generated a report for an individual Report ID, you will first need to close the report window by clicking on the  icon in the upper right corner.) Repeat steps 6-9 for each diversion point.
- Step 11:** After reporting for all diversion points, you may click the “Generate report for all points of diversion for a selected year” link, select a year from the dropdown menu, click “Search”. You can print and/or download the data.

If you have questions or need assistance, email: [owrd.waterusereporting@water.oregon.gov](mailto:owrd.waterusereporting@water.oregon.gov) or call 971-345-7489.



State of Oregon  
Water Resources Department  
Information Services Section



## Atlas of Water Rights by Type and by Use

May 2020





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## INTRODUCTION

The Oregon Water Resources Department (OWRD) is the state agency charged with governing surface and groundwater resources. Under Oregon law, all water is publicly owned. A primary responsibility for OWRD is to process and track water rights. Water rights information are maintained in a Water Rights Information System (WRIS) and, spatially, in a Geographic Information System (GIS).

## ABOUT THE ATLAS

OWRD has designed a comprehensive atlas to display the water rights by type (source) and water rights by use throughout the state. These types include surface water, groundwater, and storage water. The uses have been categorized into municipal, domestic, commercial, power, mining, irrigation, livestock, agriculture, miscellaneous, instream, wildlife, fish, and recreation. Water rights may overlap.

The maps are organized by township, range, and section using the Willamette Meridian. See Figure 1. Only sections in which there are water rights are included in the atlas.

Each map has an abbreviated legend pertaining to the water rights. For more legend details, see the section “Comprehensive Legend.” Not all water rights have been mapped. This atlas does not include applications for water rights, municipal rights, or irrigation district rights. Portions or whole water rights not yet mapped in the GIS are usually indicated by a diamond shape centered in the Public Land Survey (PLS) quarter-quarter of the respective section. This is due to a number of factors such as limited location information in the water right file. Municipal uses have been removed from the Water Type Atlas to minimize confusion in congested areas. These areas are often already known and add little value to the maps.

Each map provides a map date to indicate when the map was created. The date does not represent the status of the water rights. For the most current information or to determine dates for a particular water right, see the section “How to Find More Information.”

The atlas is complemented with a Water Right Report for the section. The report provides all Water Rights within the section including municipal rights, as they are recorded in WRIS. Users should be aware the quarter quarter sections are listed as they are recorded in WRIS, which may or may not be in agreement with the maps. Discrepancies are not global, so each report will need its own evaluation.

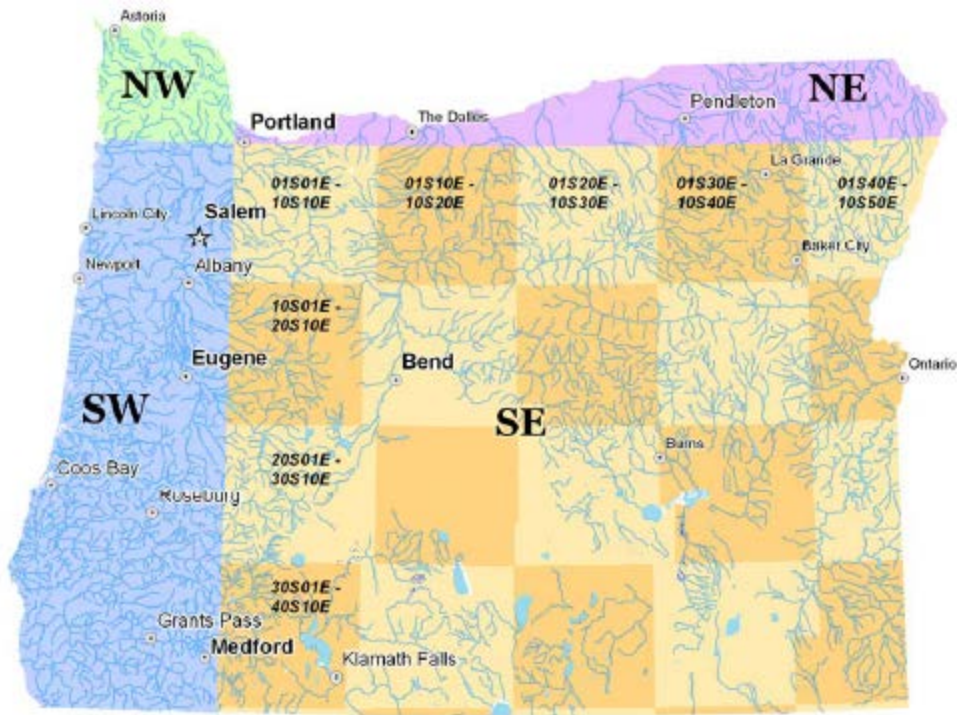


Figure 1. Index map of Township and Range for Oregon.

## TERMINOLOGY

**Points of Diversion (PODs)** – The point where water is diverted from its source, such as a well or pump. Locations of PODs are mapped by the description from the permit or certificate and may not be precisely located physically.

**Places of Use (POUs)** – Areas where the water use is permitted, such as for agricultural purposes, domestic use, riparian habitat restoration, or others.

**Surface water rights** – Surface water includes water that sits or flows on the surface such as streams, rivers, lakes, or wetlands. Surface water rights include rights originating from these sources.

**Groundwater rights** – Groundwater includes water that is held beneath the ground surface, such as in soil, pervious rocks, or aquifers. Groundwater rights include rights originating from these sources.

**Storage Water Rights** – Storage (or stored) water includes water purposefully stored for later use, such as reservoirs and livestock ponds. Storage water rights include rights that may originate from either surface water or groundwater, but is used to store water.

## WATER RIGHTS USE CATEGORIES

To keep the map atlas legible, the water right uses have been combined into the following categories.

### **Mining (0)**

MI - Mining – Use of water for extraction, preliminary grading, or processing of minerals or aggregate at a mining site or construction, operation and maintenance of a mining site. These include, but are not limited to, general construction, road construction, and dust control.

### **Agriculture (1)**

AG - Agriculture - (General) Water used for the production of agricultural products including construction, operation and maintenance of agricultural facilities, and livestock sanitation at farms, ranches, dairies and nurseries. Examples: Dust control, temperature control, animal waste management, barn or farm sanitation, dairy operation, and fire control. Agricultural use does not include irrigation.

CF - Supplemental Flood Harvesting

CH - Harvesting of Cranberries

CR - Cranberries

DB - Dairy Barn

FR - Frost Protection

GH - Greenhouse

MS - Mint Still

NU - Nursery Uses

TC - Temperature Control

### **Domestic (2)**

DI - Domestic Including Lawn & Garden

DN - Domestic Expanded Including Non- Commercial Garden

DO - Domestic

DS - Domestic & Livestock

GD - Group Domestic

HC - Human Consumption

RR - Restroom

SC - School

### **Irrigation (3)**

CI - Irrigation of Cranberries

I\* - Irrigation, Livestock & Domestic

IC - Primary & Supplemental Irrigation

ID - Irrigation & Domestic

IL - Irrigation & Livestock

IR - Irrigation

IS - Supplemental Irrigation

OI - Out of Season Irrigation

**Commercial (4)**

CM - Commercial Uses  
GC - General Construction or Maintenance  
GT - Geo-Thermal (Heating & Cooling) IM - Manufacturing  
LA - Laboratory  
LD - Log Deck Sprinkling  
SH - Shop  
SM - Sawmill

**Recreation (5)**

CS - Campsite  
RC - Recreation  
SW - Swimming

**Power (6)**

PW - Power Development  
RM - Ram

**Fish (7)**

AQ - Aquaculture  
FI - Fish Culture  
FW - Fish & Wildlife

**Livestock (8)**

LV - Livestock  
LW - Livestock & Wildlife

**Municipal (9)**

MU - Municipal  
QM - Quasi-Municipal

**Instream (1)**

F1 - Supporting Aquatic Life  
F2 - Best Use of Waters from Storage  
F3 - Anadromous & Resident Fish Habitat  
F4 - Instream  
F5 - Instream Fishery Enhancement  
F6 - Fisheries Enhancement  
F7 - Flow Augmentation for Fish Enhancement  
F8 - Anadromous & Resident Fish Rearing  
FE - Fish Habitat for Resident Borax Lake Chub  
PF - Supporting Aquatic & Minimizing Pollution  
PO - Pollution Abatement  
R1 - Anadromous & Recreation Fish & Recreation  
R2 - Supporting Aquatic Life, Recreation & Aesthetics  
R3 - Supporting Recreation & Aesthetic Benefits  
RA - Supporting Recreational Boating

RF - Supporting Aquatic Life & Recreation

**Miscellaneous (M)**

AH - Air Conditioning or Heating

AS - Aesthetics

FM - Forest Management

FP - Fire Protection

GR - Groundwater Recharge

MP - Multiple Purpose

PA - Pollution Abatement

PM - Pond Maintenance

RW - Road Construction

ST - Storage

**Wildlife (W)**

RH - Riparian Habitat Restoration Project WI - Wildlife

**COMPREHENSIVE LEGEND**

Figure 2 is a comprehensive legend of all the features provided on the Water Type maps.

Figure 3 is a comprehensive legend of all the features provided on the Water Use maps.

Because polygons overlap, there may be slight variations in colors. The patch patterns should assist in determining the water right type with these overlapping polygons.

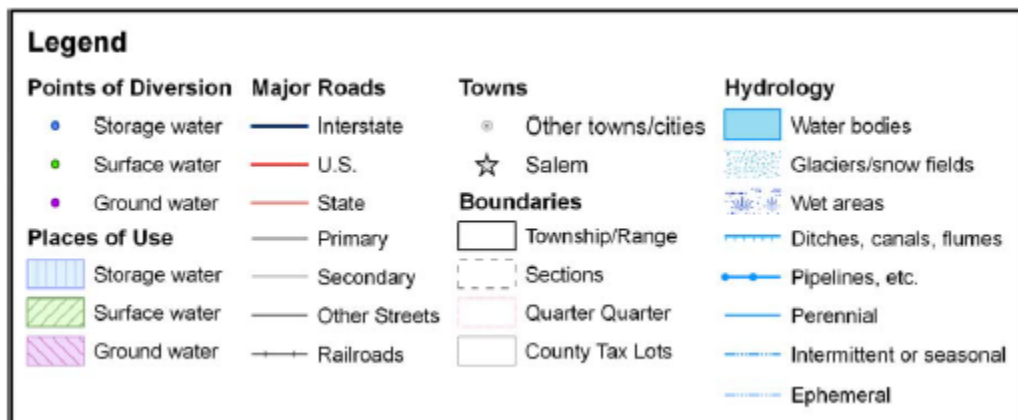


Figure 2. Comprehensive legend for Water Type.

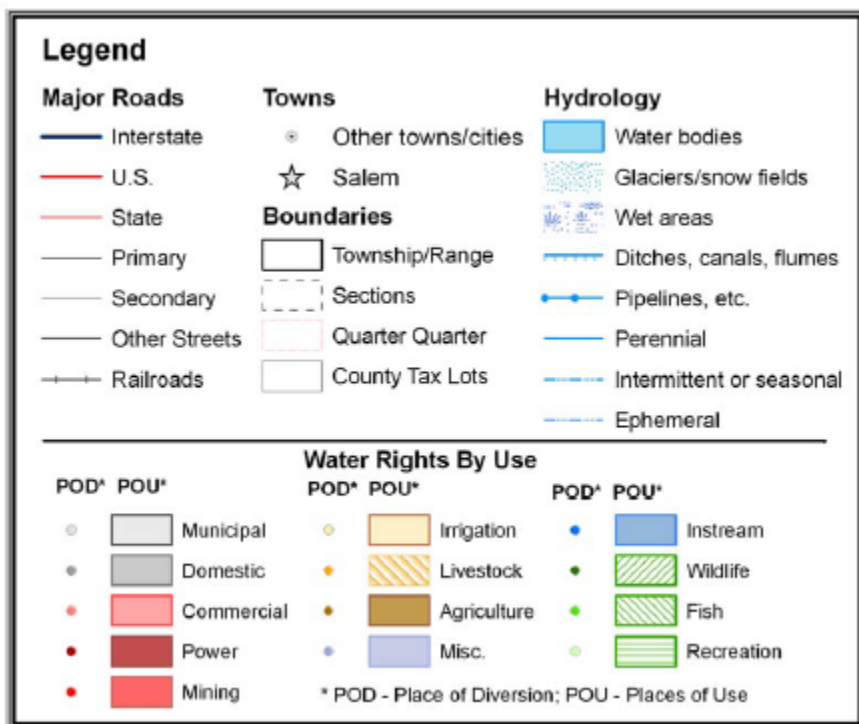


Figure 3. Comprehensive legend for Water Use

## PUBLIC LAND SURVEY SYSTEM

Figure 4 is a diagram of the Public Land Survey System (PLSS). This illustrates the numbering order of sections.

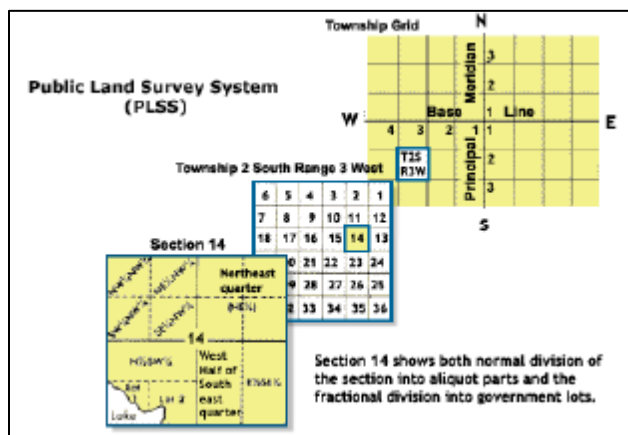


Figure 4. Illustration of the PLSS from the National Atlas.

## HOW TO FIND MORE INFORMATION

This atlas provides an overview of the best available water rights information in a printable format using automated methods. Nevertheless, there are more details that simply cannot be automated or easily mapped. Many of the water rights overlap or extend over several sections. To research a particular area or a particular right, there are two online tools that can assist: The [Water Right Mapping Tool](#) and the [Water Rights Information System \(WRIS\)](#).

## DISCLAIMER AND CONTACT INFORMATION

This atlas is for informational purposes and was not prepared for, or suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

The map is produced by the Oregon Water Resources Department from digital data. Any errors or corrections to the data should be directed to the Geographic Information Systems section. The GIS section welcomes any comments, or requests for these maps by calling 503-986-0900.

Mailing address:  
725 Summer St. NE, Suite A  
Salem, OR 97301-1266



## ACKNOWLEDGEMENTS

Mapping the State of Oregon water rights involves extensive research into new and historic documents, accurate interpretation and processing. The information supporting this atlas is a product of many data technicians, watermasters, and contractors over past decades. The Department offers a sincere thank you for their dedication and attention to detail.

# WRIS CODES

## Oregon Water Resources Department

### Use Codes

#### Mining (0)

- MI - Mining

#### Agriculture (1)

- AG - Agriculture
- CF - Supplemental Flood Harvesting
- CH - Harvesting of Cranberries
- CR - Cranberries
- DB - Dairy Barn
- FR - Frost Protection
- GH - Greenhouse
- MS - Mint Still
- NU - Nursery Uses
- TC - Temperature Control

#### Domestic (2)

- DI - Domestic Including Lawn & Garden
- DN - Domestic Expanded Including Non-Commercial Garden
- DO - Domestic
- DS - Domestic & Livestock
- GD - Group Domestic
- HC - Human Consumption
- HL - Human Consumption & Livestock
- RR - Restroom
- SC - School

#### Irrigation (3)

- CI - Irrigation of Cranberries
- I\* - Irrigation, Livestock & Domestic
- IC - Primary & Supplemental Irrigation
- ID - Irrigation & Domestic
- IL - Irrigation & Livestock
- IR - Irrigation
- IS - Supplemental Irrigation
- NI - Non Irrigable
- PI - Practicably Irrigable

### Use Codes (continued)

#### Miscellaneous (M)

- AH - Air Conditioning or Heating
- AS - Aesthetics
- FM - Forest Management
- FP - Fire Protection
- GR - Groundwater Recharge
- GS - Groundwater Aquifer Storage & Recovery
- MP - Multiple Purpose
- OT - Other
- PA - Pollution Abatement
- PM - Pond Maintenance
- RW - Road Construction
- SI - Subsurface Irrigation
- ST - Storage

#### Wildlife (W)

- RH - Riparian Habitat Restoration Project
- WI - Wildlife

#### Application Characters

- AL - Aquifer Storage Recovery
- E - Enlargement
- G - Groundwater
- HE - Hydro Electric
- IS - Instream
- LL - Limited License
- MF - Minimum Flow (converted)
- P - Pond
- R - Reservoir
- RM - Reclaimed Municipal
- RW - Road Watering
- S - Surface
- U - Underground

#### Permit Characters

- AL - Aquifer Storage Recovery
- E - Enlargement
- G - Groundwater
- R - Reservoir
- S - Surface
- U - Underground

### Status

- CN - Canceled
- DN - Denied
- EX - Expired
- MF - Misfiled
- NC - Non Canceled
- RJ - Rejected
- RSC - Rescinded
- WD - Withdrawn

### Transfer

- CM - Complete
- DN - Denied
- MF - Misfiled
- OD - Order
- PN - Pending
- RJ - Rejected
- RV - Reverted
- TM - Terminated
- WD - Withdrawn

**Commercial (4)**

- CM - Commercial Uses
- GC - General Construction or Maintenance
- GT - Geo-Thermal (Heating & Cooling)
- IM - Manufacturing
- LA - Laboratory
- LD - Log Deck Sprinkling
- SH - Shop
- SM - Sawmill

**Recreation (5)**

- CS - Campsite
- RC - Recreation
- SW - Swimming 0

**Power (6)**

- GE - Geo-Thermal (Energy Production)
- PW - Power Development
- RM - Ram

**Fish (7)**

- AQ - Aquaculture
- FI - Fish Culture
- FW - Fish & Wildlife

**Livestock (8)**

- LV - Livestock
- LW - Livestock & Wildlife

**Municipal (9)**

- MU - Municipal
- QM - Quasi-Municipal

**Instream (I)**

- F1 - Supporting Aquatic Life
- F3 - Anadromous & Resident Fish Habitat
- F4 – Multiple Instream Uses
- F5 - Instream Fishery Enhancement
- F7 - Flow Augmentation Fish Enhancement
- F9 - Instream Fire Protection
- PO – Pollution Abatement
- R4 – Riparian Habitat

**Claim Characters**

- GR - Groundwater Registrations
- KA - Klamath Adjudications
- PC - Power Claim
- SW - Surface Water Registrations

**Transfer Characters**

- A - Z Transfer

**Meridian**

- BM - Boise - Idaho
- MDM - Mount Diablo - Northern California
- WM - Willamette - Oregon & Washington

**Transfer Type**

- ACW - Allocate Conserved Water
- ALT - District Temporary Transfers
- AMN - Permit Amendment
- DLI - Drought Instream Lease
- DRO - Drought Transfer
- DST – District Permanent Transfer
- EXC - Exchange Transfer
- GRM - Groundwater Modification
- GVT - Government Action POD
- HST - Historic Pod
- IL - Instream Lease
- ILP - Instream Lease - Pooled
- IS - Instream Transfer
- REG - Normal Division 15
- SAP - Split a Permit
- SLP - Split Season Lease - Pooled
- SSL - Split Season Lease
- SUB - Substitution Transfer
- TLI - Time Limited Instream Transfer
- TMP - Temporary Transfer

## Quick Reference Guide

### Oregon Revised Statute (ORS) & Oregon Administrative Rule (OAR)

<b>Subject / Topic</b>	<b>ORS Reference</b>	<b>OAR Reference</b> (Chapter 690)
Allocations of Conserved Water	537.455 – 537.500	Div. 18
Alternate Permit Application for Qualifying Reservoirs <i>(Storing less than 9.2 af or dam is less than 10 ft. in height.)</i>	537.409	
Specific to General Industrial	537.130, 537.615 – 537.635	Div. 310
Appurtenancy	540.510	
Aquifer Storage and Recovery (ASR)	537.534	Div. 350
Artificial Recharge		
Assignments	537.220, 537.635	Div. 320
Assignment of Surface Water Registration	539.240(9)	690-028-0055
Basin Programs - General		690-500
Basin Programs - North Coast		690-501
Basin Programs - Willamette		690-502
Basin Programs - Sandy		690-503
Basin Programs - Hood River		690-504
Basin Programs - Deschutes		690-505
Basin Programs - John Day		690-506
Basin Programs - Umatilla		690-507
Basin Programs - Ggrande Ronde		690-508
Basin Programs - Powder		690-509
Basin Programs - Malheur		690-510
Basin Programs - Owyhee		690-511
Basin Programs - Malheur Lake		690-512
Basin Programs - Goose and Summer Lakes		690-513
Basin Programs - Rogue		690-515
Basin Programs - Umpqua		690-516
Basin Programs - South Coast		690-517
Basin Programs - Mid-Coast		690-518
Basin Programs - Columbia River		690-519
Basin Programs - Middle Snake river		690-520
Valuation of a Water Right		Div. 500 – Div. 520
Basin Program Exceptions	536.295	
Cancellation of Permit	537.440	Div. 320

Cancellation of Permit - Failure to Submit Proof of Completion or CBU	537.260(1)	
Cancellation of Water Right – Forfeited	540.631	Div. 17
Cancellation of Water Right – Voluntary	540.621	Div. 17
Certificates	537.250, 537.252	Div. 330
Claim of Beneficial Use	537.799	Div. 14
Clarification of Water Right	540.560	
Consent to Injury – Transfer Process	540.530	
Conserved Water, Allocations of	537.455	Div. 18
CWREs	537.797-537.798	Div. 14
Dam Safety		Div. 20
Definitions, Water Use Classifications		Div. 300 & Div. 500
Deschutes Basin Water Management		690-522
District Transfer - Permanent	540.572 – 540.580	Div. 385
District Transfer – Temporary	540.570	Div. 385
Drought Mitigation		Div. 19
Drought Permits		
Easements	537.139	
Exchange of Water Application (Transfer)	540.533	
Livestock Exemption (Surface Water)	537.141	
Exempt Uses – Ground Water	537.545	
Exempt Uses – Generally (SW & GW)	537.141	Div. 340
Extension of Time – Permit	537.230, 537.248 & 537.630	Div. 315
Extension of Time - Transfer	540.530	Div. 380
Fees	536.050	
Following Stream Channel – POD Relocation	540.510(5)	
Forfeiture of Water Rights	540.610 – 540.670	
Forfeiture – Municipal Water Rights	540.610(2)(a)&(b)	
Forfeiture – Rebuttal of Presumption	540.610(2)	
Geothermal Wells	537.090	
Government Action – POD Change	540.510(6)	
Ground Water Interference with Surface Water		Div. 9
Ground Water Registration (GR)	537.605	
Groundwater Registration Modification	537.610(4)	Div. 382
Hydroelectric		
Incremental Perfection of a Municipal Water Right	537.260(4)	Div. 320 (see 0040)
Industrial, Specific to General	540.520(9)	

Instream Water Rights	537.332 – 537.360	Div. 77
Irrigation Seasons	537.385	
Klamath Adjudication		
Klamath River Compact	542.610	
Land Use Compatibility		
Limited Licenses	537.143, 537.144	Div. 340
Livestock Exemption (Surface Water)	ORS 537.141(2)	
Minimum Perennial Streamflow Conversion	537.346	
Mitigation Credits for Projects in the Deschutes River Basin	537.746	Div. 521
Municipal Water Right, Incremental Perfection of	537.260(4)	Div. 320
Municipal POU Boundary	540.510(3)(a)	
Municipal - Who Qualifies?	540.510(3)(b)	
Partial Perfection of a Municipal Water Right	537.260(4)	Div. 320
New Applications for Water Use Permit	537.130, 537.615 – 537.635	Div. 310
Permits		Div. 320
Permit Amendments	537.211	Div. 380
Permit Amendments – District POU	537.252	Div. 380
Permit Extension of Time	537.230, 537.248 & 537.630	Div. 315
POD Change – Government Action	540.510(6)	
POD Relocation – Following Stream Channel	540.510(5)	
Protests		
Public Interest, Presumption of	537.153(2), 537.170(8)	
Public Ownership of Water	537.110	
Pump Tests	537.772	Div. 217
Rainwater Collection - Exempt	ORS 537.141(h)	
Reasonable Diligence – SW Permit Extension of Time	537.230	Div. 315
Reclaimed Water	537.131, 537.132	
Reservoir, Alternate Permit Process	537.409	
Reservoir, Exempt	537.405	
Reservoir Permits	537.400	
Road Watering – Registration of Water Use for Maintenance and Construction	537.040	Div. 340
Scenic Waterway Designations	390.826 (See also: OAR 736-040-007(1)(2) for the Sandy SWW)	
Scenic Waterway Policies	390.835(9)(q)	
Specific to General Industrial	540.520(9)	

Statewide Water Resource Management	536.220, 536.300	Div. 410
STEP (Salmon Trout Enhancement Program)	537.142	
Substitution	540.524	Div. 380
Surface Water Registration	537.610	
Surface Water Registration, assignment	539.240(9)	690-028-0055
Surface Water Registration, amendments	539.240(11)	690-028-0055
Surface Water, Withdrawn	538.110 – 538.300	
Time Limits - Surface Water Permits (Non-Muni) - 5 years	ORS 537.230(2)	
Time Limits - Surface Water Permits (Muni) - 20 years	ORS 537.230(3)	
Time Limits - Storage Permits (County, Muni, or District) - 10 years	ORS 537.248(1)	
Time Limits - Groundwater Permits (Non-Muni) - 5 years	ORS 537.630(2)	
Time Limits - Groundwater Permits (Muni) - 20 years	ORS 537.630(3)	
Temporary Transfer	540.523	380
Transfer of Water Right, Generally	540.505 – 540.585	380
Transfer – Consent to Injury	540.530	380
Transfer – Change in POU	ORS 540.510-542	380-2200
Transfer – Change in POD or POA		380-2110
Transfer – District Permanent	540.572 – 540.580	385
Transfer – District Temporary	540.570	385
Transfer – Exchange of Water	540.533	380
Transfer – Extension of Time	540.530	380
Transfer – Historic POD Change	540.532	380-2120
Transfer – SW to GW Change	540.531	380-2130
Transfer – Temporary	540.523	380
Valuation of a Water Right	537.390	
Waters of the State	537.110	
Water Management and Conservation Plans		86
Water Use Reporting – Governmental Entities	537.099	85-0010
Water Use Reporting – Methods for Measuring and Computing Water Use		85-0015
Serious Water Management Problem Areas		85-0020
Well Construction		Div. 200 – Div. 240
Well, Definition of	537.515(9)	
Wells, Geothermal	537.090	
Withdrawn Surface Water	538.110 – 538.300	



## Pump Tests

### Overview

A **pump test**, also known as an **aquifer test**, is not really a test of the pump, but rather a test of the well and aquifer. It should not be confused with other testing types, such as well flow or step-drawdown tests. Permitted wells must be tested as a condition of certification.

Pump test information must be submitted on these forms, which can be obtained on the Department's website.

### Pump Test Specifications

A Pump Test consists of three phases:

- The **pre-pumping** phase includes several depth-to-water measurements made prior to pumping the well to determine any natural fluctuations in water level.
- The **pumping** phase of the test is a minimum of four hours. The actual pumping phase of the test consists of pumping the well at a constant rate for period of four hours. As the well is pumped, the water level will drop. During pumping, the depth to water is measured and recorded at minimum specified intervals.
- The **post-pumping or recovery phase** of the test occurs after the pump is turned off. After pumping stops, depth-to-water measurements continue at minimum specified intervals as the water rises, or recovers, in the well.

For more detailed test specifications, see OAR 690-217. Forms and a detailed pump test program guide can be found on the Department's website at <https://www.oregon.gov/OWRD/programs/GWWL/GW/Pages/PumpTestProgram.aspx>.

### Exemptions

In some cases there are exemptions to the pump test requirements.

See reverse side for details.

### Qualifications to Conduct Pump Tests

Pump tests must be conducted by qualified individuals. The well owner may conduct the test, or may designate another person to do the test as long as that person meets certain qualifications.

The following persons are eligible to conduct these pump tests:

1. The owner of the well to be tested.
2. A full-time employee of the well owner who routinely works with and is familiar with wells and pumps.
3. Individuals whose primary occupation involves well pump installation, service or testing.
4. Individuals within the following professional groups, provided they have significant experience conducting pump or aquifer tests:
  - Registered Geologists or Engineering Geologists
  - Licensed Well Drillers
  - Certified Water Right Examiners
  - Registered Professional Engineers

Well owners who decide to conduct the pump test themselves should become thoroughly familiar with all the test requirements. These requirements are described in the Water Resources Department's administrative rules OAR 690-217. Some specialized equipment is needed to conduct pump tests.



## Pump Test Exemptions

### Multiple Well Exemptions:

You may qualify for an exemption from testing your well if you meet the following three criteria:

1. You own multiple wells producing water from the same aquifer;
2. One of the wells has been previously tested and the test approved; and
3. The wells are within 5 miles of the previously tested well.

Multiple well exemption requests must be submitted using the department's form which can be obtained on the Department's website.

### Unreasonable Burden Exemptions:

In some cases, it may be extremely difficult or inconvenient to conduct a pump test that meets the Water Resources Department's requirements. In such cases, well owners may request an exemption.

*Exemptions shall be granted for public water supply wells if pump testing will cause interruption of service to customers.*

Unreasonable burden exemption requests must be submitted using the department's form which can be obtained on the Department's website.

### Wells Not Requiring a Pump Test:

- A well with a diameter greater than 36 inches and a depth less than 30 feet.
- Excavations that produce water from horizontal screens embedded in a gravel pack (infiltration galleries) or vertical caissons that produce water from a radiating system of horizontal casings or screens (collection wells).
- Contact the Department, if any of these apply to your situation.

## Additional Information

If you would like additional information about pump test requirements, contact our office to speak with a customer service representative.

Mail pump tests or requests for exemptions to the attention of the Certificate Support.

Submittals and inquiries can be sent to [WRD\\_DL\\_pumptestsupport@oregon.gov](mailto:WRD_DL_pumptestsupport@oregon.gov)



**Oregon Water Resources Department**  
 725 Summer Street NE, Suite A  
 Salem Oregon 97301  
 (503) 986-0900  
[www.oregon.gov/owrd](http://www.oregon.gov/owrd)

# Application for Well ID Number

***Do not complete if the well already has a Well Identification Number.***

## **I. OWNER INFORMATION**

Current Owner Name (*please print*): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

**Mail Well ID to:**                      SAME AS ABOVE                      In Care Of (C/O)

Name & Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

## **II. WELL LOCATION INFORMATION** (*Please fill out as completely as possible*)

Township: \_\_\_\_\_ (North / South)    Range: \_\_\_\_\_ (East / West)    Section: \_\_\_\_\_    \_\_\_\_\_ 1/4 of the \_\_\_\_\_ 1/4

Tax Lot (usually last 3-5 numbers of Tax Map #): \_\_\_\_\_    County \_\_\_\_\_

GPS Coordinates: \_\_\_\_\_

Street Address of Well, City: \_\_\_\_\_

If the property had a different street address in the past: \_\_\_\_\_

## **III. GENERAL WELL INFORMATION** (*Please fill out as completely as possible, AND attach copy of Well Report, if available*)

Use of Well (domestic, irrigation, commercial, industrial, monitoring): \_\_\_\_\_

Date Well Constructed (or property built): \_\_\_\_\_    Total Well Depth: \_\_\_\_\_    Casing Diameter: \_\_\_\_\_

Owner at time the well was constructed (if known): \_\_\_\_\_    Well Report # (if known): \_\_\_\_\_

Other Information: \_\_\_\_\_

**SUBMITTED BY** (*please print*): \_\_\_\_\_

**PHONE:** \_\_\_\_\_    **EMAIL &/or FAX:** \_\_\_\_\_

To send the completed application, you may MAIL it to: Oregon Water Resources Dept. 725 Summer St NE, Suite A, Salem, Oregon 97301.  
 Or EMAIL the completed PDF form to: [Ladeena.K.Ashley@water.oregon.gov](mailto:Ladeena.K.Ashley@water.oregon.gov), or FAX it to: (503) 986-0902.

*For Official Use Only by the Oregon Water Resources Department:*

Received Date:

Well Report Number:

Well Identification #:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



**Oregon Water Resources Department**  
725 Summer Street NE, Suite A  
Salem Oregon 97301  
(503) 986-0900  
[www.oregon.gov/owrd](http://www.oregon.gov/owrd)

# Well ID Program APPLICATION INSTRUCTIONS

Use a separate application for EACH well on the property. If the well already has an existing Well ID Number (L-xxxxx), you do not need to complete this application, unless there is no well ID physically on the well head. In that case you would note that you are requesting a replacement well ID. (Note: It will be a new number.)

## I. OWNER INFORMATION

Print the current owner's name, mailing address (including city, state, and zip), and the address where the Well ID packet should be sent. If the property has closed in escrow, the packet may be sent directly to the buyer. The packet should be sent to the party who currently has access to the well.

## II. WELL LOCATION INFORMATION

Provide the Township, Range, Section, Quarter / Quarter, County and Tax Lot number. This information may be obtained from property tax statements, legal description of the property, or from the Assessor's Office. The Assessor's Office may also refer to this as the "Map and Tax Lot Number". A list of County Assessors is enclosed for your use.

## III. GENERAL WELL INFORMATION

Please provide as much information as you can: depth of well, diameter of well casing, year constructed, and use of well. If you know who owned the land when the well was drilled, or when the property was developed, please also include that information in the space provided. If you have a Well Constructor's Water Well Report (look on log for: first 4 letters of the county, and some numbers), please enter that. If not, you can search our online database for the Well Report on our website: [www.oregon.gov/OWRD](http://www.oregon.gov/OWRD). On the home page under the Groundwater & Wells heading, click "Find a Well Report".

For well information you don't know, simply leave those fields blank.

The information given on the application will assist the Department in locating a well report, if one has not yet been identified. Note: If no well report is found, the application will become the first record of the well in our system.

Contact the Well Identification Program Specialist at 971-287-8218 or via email at [Ladeena.K.Ashley@water.oregon.gov](mailto:Ladeena.K.Ashley@water.oregon.gov) if you have questions.

## Oregon County Assessor Offices

The County Assessor's Office can provide you with the Township, Range, Section, and Tax Lot (combined: map lot #). They can also provide you with a list of previous owners of the property where the well is located.

### **Baker County**

(541) 523-8203  
1995 3rd St, Ste 300  
Baker City, OR 97814

### **Douglas County**

(541) 440-4222  
1036 SE Douglas  
Roseburg, OR 97470

### **Lake County**

(541) 947-6000  
513 Center Street  
Lakeview, OR 97630

### **Sherman County**

(541) 565-3606  
500 Court Street  
PO Box 283  
Moro, OR 97039

### **Benton County**

(541) 766-6855  
4077 SW Research Way  
Corvallis, Oregon 97333

### **Gilliam County**

(541) 384-3781  
221 S Oregon St  
Condon, OR 97823

### **Lane County**

(541) 682-4321  
125 E 8<sup>th</sup> Ave  
Eugene, OR 97401

### **Tillamook County**

(503) 842-3400  
201 Laurel Ave  
Tillamook, OR 97141

### **Clackamas County**

(503) 655-8671  
150 Beaver Creek Rd  
Oregon City, OR 97045

### **Grant County**

(541) 575-0107  
201 S Humbolt  
Canyon City, OR 97820

### **Lincoln County**

(541) 265-4102  
225 W Olive St, Rm 207  
Newport, OR 97365

### **Umatilla County**

(541) 276-7111  
216 SE 4<sup>th</sup> St  
Pendleton, OR 97801

### **Clatsop County**

(503) 325-8522  
820 Exchange St, Ste 210  
Astoria, OR 97103

### **Harney County**

(541) 573-8365  
450 N Buena Vista #13  
Burns, OR 97720

### **Linn County**

(541) 967-3808  
300 4th Ave SW  
Albany, OR 97321

### **Union County**

(541) 963-1002  
1001 4th St, Ste A & B  
La Grande, OR 97850

### **Columbia County**

(503) 397-2240  
230 Strand Street  
St. Helens, OR 97051

### **Hood River County**

(541) 386-4522  
601 State Street  
Hood River, OR 97031

### **Malheur County**

(541) 473-5117  
251 B Street W  
Vale, OR 97918

### **Wallowa County**

(541) 426-4543  
101 S River St, Rm 104  
Enterprise, OR 97828

### **Coos County**

(541) 396-7900  
250 N Baxter  
Coquille, OR 97423

### **Jackson County**

(541) 774-6059  
10 S Oakdale Ave, #300  
Medford, OR 97501

### **Marion County**

(503) 588-5144  
555 Court St NE, Ste 2233  
PO Box 14500  
Salem, OR 97301

### **Wasco County**

(541) 506-2510  
511 Washington St #208  
The Dalles, OR 97058

### **Crook County**

(541) 447-4133  
200 NE 2<sup>nd</sup>, Ste 200  
Prineville, OR 97754

### **Jefferson County**

(541) 475-2443  
66 SE D Street, Ste D  
Madras, OR 97741

### **Morrow County**

(541) 676-5607  
100 Court Street  
PO Box 788  
Heppner, OR 97836

### **Washington County**

(503) 846-8741  
Public Services Building  
155 N 1<sup>st</sup> Ave, Ste130  
Hillsboro, OR 97124

### **Curry County**

(541) 247-3294  
94235 Moore St, Ste 221  
Gold Beach, OR 97444

### **Josephine County**

(541) 474-5260  
500 NW 6th St  
Grants Pass, OR 97526

### **Multnomah County**

(503) 988-3326  
501 SE Hawthorne Blvd,  
Suite 175  
Portland, OR 97214

### **Wheeler County**

(541) 763-4266  
701 Adams St, Ste 203  
PO Box 447  
Fossil, OR 97830

### **Deschutes County**

(541) 388-6508  
1300 NW Wall St, Ste 200  
Bend, OR 97701

### **Klamath County**

(541) 883-5111  
305 Main Street  
Klamath Falls, OR 97601

### **Polk County**

(503) 623-8391  
850 Main Street  
Dallas, OR 97338

### **Yamhill County**

(503) 434-7521  
535 NE 5<sup>th</sup> St, Rm 42  
McMinnville, OR 97128



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 Salem Oregon 97301  
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[www.oregon.gov/owrd](http://www.oregon.gov/owrd)

## Well ID Program Frequently Asked Questions

All wells drilled, deepened, converted or altered after 1996 are required to have a well ID number attached to the well head. This Well ID Number is usually attached by the well constructor. If there is no ID number on the well, a landowner may apply for one using the Well ID application form, which is available from the Water Resources Department's website at [www.oregon.gov/owrd](http://www.oregon.gov/owrd).

**Is there a fee to get a Well ID?** No. It is free to apply for and receive a Well ID Number.

**What is the legal basis for the program?** Oregon Revised Statutes 537.788 - 537.793.

**What is the purpose of the program?** The purpose is to catalog each well with a unique Well ID Number. This number will link the well with a physical description of how the well was constructed (well report) in the Department's database.

**What types of wells are bound by this program?** All wells, including monitoring and water wells.

**Do I need to apply for a new Well ID Number if my well already has one on it?** No. Only one Well ID Number is required for the life of the well (unless label is unreadable).

**Should I apply for a Well ID Number now or should I wait until the property changes ownership?** You may apply for a Well ID Number at any time.

**I share a well and the well is on the neighboring property. Do I apply for a Well ID Number when I sell my property?** No. The owner of the property where the well is located is responsible to obtain a Well ID Number when their property changes ownership.

**Who is responsible for initiating the process?** The landowner who owns the property where the well is located may apply for the Well ID Number or the buyer may also apply for the Well ID Number.

**Will this delay the property transfer if I am selling my property?** No. It is not necessary to apply for or obtain a Well ID Number before closing the property transfer. The seller, buyer, or their agent may apply for the Well ID Number by completing an application.

**What is a Well Report?** A well report is a physical description of how your well was constructed. The Oregon Water Resources Department maintains a database of all wells constructed in the state since approximately 1960.

**Does the Water Resources Department verify the well construction during this process?** The Department does not review the well construction prior to the issuance of a Well ID Number. However, as part of the Department's Well Construction Program, new wells are routinely inspected during construction. If you have specific problems or concerns about your well, please contact the Department directly.

If you have questions concerning your well, contact the Water Resources Department: (503) 986-0900, or visit our website: [www.oregon.gov/owrd](http://www.oregon.gov/owrd). Our office is located at 725 Summer Street NE, Suite A, Salem, Oregon 97301-1266.

# How to Use the Well Report Query



Before you begin, it is helpful to gather the following information:

1. Complete property address, with zip code.
2. Names of previous owners, especially around the time the home was built or placed on the property.  
**Hint:** *Well Reports are archival in nature and remain under the name of the landowner at the time. Check with the County Assessor's Office of a title company for the property history.*
3. The property Map Number, map tax lot number (i.e.: a series of numbers / letters like 3S102B000105) is actually the Township, Range, Section and Tax Lot in disguise.  
**Hint:** *The Map number above would translate to: Township 3 South, Range 1 West, Section 2. The North/South line (Township) cuts through Portland, and the East/West line (Range) is roughly 2 miles east of the I-5 corridor.*
4. The Lot and Block numbers, if applicable. (Report might not list the current property address.)
5. Any former address the property might have been known as (such as a Route and Box number.)
6. Double-check to see if the well has a Well Identification Number (stainless steel label) on the casing.

Now you're ready to search online for a Well Report. Type [www.oregon.gov/owrd](http://www.oregon.gov/owrd) in the navigation pane. Hit "Enter" to default to OWRD's home page. Under Groundwater and Wells, click "Find a Well Report". Or, here is the direct link to the Query: [https://apps.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](https://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx). A picture of the query page is shown below.

## Step-by-step directions:

1. If you found a Well ID on the well, simply enter the number in the Well Label field, and click "Search".
2. If there's no Well ID, then search by Township, Range, and Section (TRS) on the left. You can get the TRS by clicking "Search by Map", or look it up on the county assessor website. Then come back to the Query and enter it. (Sorry for the inconvenience, while the "Find TRS by Address" button is not available.)
3. Now move to the right side of the page. These fields give you several *options* of how to find records, but you do not need to try and fill it all in. LESS IS MORE.

4. If entering Owner Last Name or Company Name, enter the first 2-3 letters only. Some reports are hard to read, so information might appear differently than expected.
5. If you are looking for a domestic water well, choose "Water Well" on the "Type of Report" menu.
6. On "Records per Page", add a "0" to the end of 10 to make it at least "100", for easy scrolling through the results page.
7. Click "Search". A list of Well Reports will appear. To sort data, click any of the column headings (blue text). It's best to sort by "Street Address of Well" first, and then look for address or Lot/Block.
8. To view a Well Report image, click on the Well Log number (first 4 letters of the county and some numbers) in the far-left column.

**Hint:** The street address and Tax Lot may not always be included on Well Reports, especially for older wells. Sometimes the PDF shows more information than what was entered in the database, so check the image if the address field is blank.

**Again...LESS IS MORE...** Try these tricks during your search:

- Un-check the Section box, OR also click surrounding sections; the report may be filed under a nearby section
- Take out the TRS and search by County and first 2-3 letters of the Owner Last Name or Company Name
- As a last resort, try entering only the County and Tax Lot (Tax Lots change and may not be listed at all)

**Note:** Wells constructed prior to 1955 may not have a Well Report on file with the Department.

### Questions?

Contact the Well ID Program Specialist at 971-287-8218, or email at for more information and assistance in navigating the Well Report Query.



**Oregon Water Resources Department** 725 Summer Street NE, Suite A Salem Oregon 97301  
(503) 986-0900 – [www.oregon.gov/owrd](http://www.oregon.gov/owrd)



State of Oregon  
**Water Resources Department**  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301  
 503-986-0900  
[www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)

# Fee Schedule

Effective July 1, 2021

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**WATER USE PERMIT APPLICATIONS**

(OAR Chapter 690, Division 310)

Please use our EASY Online Fee Estimator:

[http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator/](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator/)**1. Application for Groundwater or Surface Water**

Surface Water Base.....\$1,090.00  
 Groundwater Base .....\$1,570.00

*PLUS:*

1<sup>st</sup> cubic foot per second (CFS) or fraction thereof .....\$410.00  
 Each additional CFS or fraction thereof.....\$410.00  
 Each additional use, point of diversion or well after the 1<sup>st</sup> .....\$410.00  
 Permit Recording Fee ..... See Page 3

**If also proposing to appropriate stored water under the surface water application, add the following:**

Each Acre Foot (AF) or fraction thereof up to 20 AF .....\$41.00  
 Each additional AF or fraction thereof ..... \$1.40

**2. Application to Store Water in a Reservoir (Standard Process)**

To Store Water Base .....\$1,090.00

*PLUS:*

Each Acre Foot (AF) or fraction thereof up to 20 AF ..... \$41.00  
 Each additional AF or fraction thereof .....\$1.40  
 Each additional storage location after the 1<sup>st</sup> .....\$160.00  
 Permit Recording Fee..... See Page 3

Note: An application for an Aquifer Storage and Recovery permit shall be accompanied by the same fee as described for an application to store water, as shown above.

**3. Application to use Stored Water ONLY**

Base.....\$610.00

*PLUS:*

Each Acre Foot (AF) or fraction thereof up to 20 AF .....\$41.00  
 Each additional AF or fraction thereof .....\$1.40  
 Permit Recording Fee ..... See Page 3

**ALTERNATE PERMIT APPLICATION FOR QUALIFYING RESERVOIRS**

(Storing less than 9.2 acre-feet or dam less than 10 feet in height) ORS 537.409

Base.....\$480.00

*PLUS:*

Each Acre Foot (AF) or fraction thereof..... \$41.00

Permit Recording Fee..... See below

**WATER USE PERMIT RECORDING FEES**

As of July 1, 2009, there is a permit recording fee required for all new permits, including permits issued under the Alternate Reservoir Process. These fees must be paid prior to permit issuance and may be paid earlier. A refund will be made if the fee is paid early but no permit is issued.

Standard permit recording fee .....\$610.00

Additional fee if permit approval involves  
mitigation for impacts to the proposed water source .....\$790.00

**WATER USE AUTHORIZATIONS**

(OAR Chapter 690, Division 340)

**1. Limited License**Base 1<sup>st</sup> point of diversion .....\$280.00

Each additional point of diversion ..... \$30.00

For a limited license requiring the use of water for  
Aquifer Storage & Recovery testing purposes..... \$1,150.00

For renewal of a limited license for Aquifer Storage & Recovery  
testing purposes..... \$575.00

For modification of a limited license for Aquifer Storage & Recovery  
testing purposes.....\$575.00

For a limited license filing requesting the use of water for  
Artificial Groundwater Recharge purposes.....\$1,150.00

**2. Registration of Water Use for Road Maintenance and Construction**

Initial application .....\$340.00

Renewal (each year) .....\$60.00

**EMERGENCY DROUGHT APPLICATIONS**

(OAR Chapter 690, Division 19)

**1. Emergency Water Use Permit**

Examination Fee .....	\$200.00
Recording Fee:	
For the 1st CFS or fraction thereof .....	\$400.00
For each additional CFS or fraction thereafter .....	\$100.00

**2. Temporary Drought Transfer**

Examination Fee .....	\$100.00
Recording Fee:	
For the 1st CFS or fraction thereof .....	\$100.00
For each additional CFS or fraction thereafter .....	\$50.00

**3. Option or Agreement**

Application Fee .....	\$200.00
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**4. Temporary Substitution**

Application Fee .....	\$100.00
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**5. Temporary Drought Instream Leases**

For a lease involving four or more landowners or four or more water rights .....	\$520.00
For all other leases .....	\$350.00
To renew a lease .....	\$130.00

**TRANSFER OF WATER RIGHTS (CHANGES TO WATER RIGHTS)**

(OAR Chapter 690, Divisions 380 and 385)

**Please use our EASY Online Fee Estimator**[http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator/](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator/) or the worksheets in the application forms.

For additional assistance in calculating transfer fees, call (503) 986-0801 or (503) 986-0890.

**1. Regular Transfers, Permit Amendments, and Water Right Exchanges**

A type of change is any of the following: place of use, point of diversion/appropriation, or character of use.

Base: Minimum fee for one change to a single water right .....\$1,360.00

*PLUS:*

Additional fee for transfers that change a well location, add a well, change from a surface water diversion to a well, or a substitution.....\$480.00

Each additional point of appropriation (well) after the first.....\$410.00

Each additional water right or permit (including supplemental water rights).....\$610.00

Each additional type of change requested.....\$1,090.00

For a change in place of use or type of use or water exchange:

For each cubic foot per second (CFS) or fraction in addition to the 1<sup>st</sup> CFS..... \$410.00

(Calculate CFS for primary rights only, not supplemental rights)

**2. Temporary Transfers**

Temporary transfers are allowed for a change in place of use, a change in point of diversion/appropriation if necessary to convey water to the new temporary place of use, a change in character of use identified in a right to store water, and a change in character of use under some circumstances in the Deschutes Basin.

Base fee for change to one water right ..... \$950.00

*PLUS:*

Each additional water right or permit (including supplemental water rights).....\$310.00

Irrigation uses: Charge per acre of land irrigated (acres of primary irr. only) .....\$2.70  
(or \$0.70 if submitted in a Department approved digital format)

Non-Irrigation uses: Charge for each CFS or fraction beyond the 1<sup>st</sup> CFS.....\$230.00

**3. Permanent Irrigation District Transfers**

Base fee for change to one water right ..... \$1,360.00

*PLUS:*

Each additional water right or permit (including supplemental rights) .....\$610.00

For each cubic foot per second (CFS) or fraction in addition to the 1<sup>st</sup> CFS..... \$410.00

(Calculate CFS for primary rights only, not supplemental rights)

**4. Temporary Irrigation District Transfers**

Base fee for change to one water right .....\$950.00

*PLUS:*

Each additional water right or permit (including supplemental rights) .....\$310.00

Irrigation uses: Charge per acre of land irrigated (acres of primary irr. only) .....\$2.70  
(or \$0.70 if submitted in a Department approved digital format)

Non-Irrigation uses: Charge for each CFS or fraction beyond the 1<sup>st</sup> CFS.....\$230.00

**5. Substitution of Primary Surface Water Right for Supplemental Groundwater Right**

Base fee for first well substitution .....\$990.00

*PLUS:*

Each additional well substitution .....\$480.00

**6. Waiver of Fees (OAR 690-380-3400)**

The Director shall waive \$100.00 or 50 percent of the application fee, whichever is greater, for that portion of a change to a water right permit under ORS 537.211(4) or a water right subject to transfer under ORS 540.520 or 540.523, that is:

- (1) To establish an instream water right pursuant to ORS 537.348;
- (2) Necessary to complete a project funded by the Oregon Watershed Enhancement Board under ORS 541.932; or
- (3) Determined and endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.

**GROUNDWATER REGISTRATION MODIFICATIONS**

(OAR Chapter 690, Division 382)

Examination of an application to ONLY change the place of  
use under a groundwater certificate of registration .....\$875.00

Examination of all other applications to modify  
a groundwater certificate of registration .....\$1,250.00

**NOTE:** If the applicant for a modification to change the point of appropriation (well) abandons the original well identified in the claim according to well construction standards within one year of the Department's recognition of the modification, the applicant may request a refund of \$100.00 of the fee paid under OAR 690-382-0400(18)(b).

**INSTREAM LEASES**

(OAR Chapter 690, Division 77)

To lease a water right instream:

For a lease involving four or more landowners or four or more water rights .....\$610.00

For all other leases .....\$410.00

To renew a lease .....\$150.00

**ALLOCATION OF CONSERVED WATER**

(OAR Chapter 690, Division 18)

Examination of an application for an allocation of conserved water:

For the 1<sup>st</sup> water right involved in the allocation .....\$1,360.00\*

*PLUS:*

Each additional water right involved in the allocation .....\$480.00

**\*Fee may be reduced under ORS 536.050(5)**

**WATER MANAGEMENT AND CONSERVATION PLAN**

(OAR Chapter 690, Division 86)

Examination of a water management and conservation plan:

For a plan submitted by an agricultural water supplier .....\$680.00

For a plan submitted by a municipal water supplier serving a population  
of 1,000 or less.....\$1,220.00

For a plan submitted by a municipal water supplier serving a population  
of more than 1,000.....\$2,450.00

## WELL CONSTRUCTION AND COMPLIANCE FEES

(OAR Chapter 690, Division 190, Division 205, & Division 240)

### 1. **Start Card Fee** (Notice of Beginning of Well Construction).....\$350.00

Each Start Card submitted for the construction of a new well, deepening of an existing well, or conversion of a well is to be accompanied by a fee of \$350.00. This includes both water supply and monitoring wells. (ORS 537.762)

### 2. **Geotechnical Hole Fee** (First Hole).....\$25.00

Each additional hole in a 7-day period on the same project site ..... \$10.00

A geotechnical hole is constructed to collect subsurface data, monitor movement of landslide features, or to stabilize or dewater landslide features.

A geotechnical hole report shall be signed by an Oregon licensed Monitoring Well Constructor, an Oregon licensed Water Well Constructor, an Oregon Registered Geologist or an Oregon Professional Engineer and must be submitted to the Department if the geotechnical hole is (ORS 537.880-537.895):

- Greater than 18 feet deep;
- Within 50 feet of a water supply or monitoring well;
- Used to make a determination of water quality; or
- Constructed in an area of known or reasonably suspected contamination.

### 3. **Landowner Permit Fee** .....\$500.00

If a well is to be constructed, altered, abandoned or converted by a person on property owned by that person, by means of a well drilling machine, the person shall obtain a permit from the Commission before beginning work. (ORS 537.753)

### 4. **Well Construction Exam Study Packet Fee**.....\$30.00

A Well Construction Exam Study Packet includes copies of Oregon Administrative Rules and Oregon Revised Statutes, with appendices, tables and figures, pertaining to the appropriation and use of groundwater, State of Oregon licensing requirements, well construction, and the preparation and filing of Start Cards and Well Reports. The fee is only charged if the applicant would like a printed copy of the study packet. The packet is also available online for free. [http://www.oregon.gov/owrd/Pages/GW/Well\\_constructors.aspx](http://www.oregon.gov/owrd/Pages/GW/Well_constructors.aspx) (ORS 537.750)

### 5. **Well Constructor License Fees**

Exam Fee..... \$20.00

Initial License Fee.....\$150.00

Renewal License Fee (licenses are valid for two years).....	\$150.00
Late License Renewal Fee (includes \$100.00 late fee) .....	\$250.00

Any person advertising services to construct, alter, abandon or convert wells, offer to enter or enter into a contract with another person or public agency to construct, alter, abandon or convert a well for such other person, cause any well construction, alteration, abandonment or conversion to be performed under such a contract or operate well drilling machinery shall possess a water well constructor’s license, in good standing, issued by the Department. (ORS 537.747)

**6. Exempt Use Well Fee.....\$300.00**

The exempt use fee is paid to record new exempt use groundwater wells. The program is meant to improve the management of groundwater throughout the state. The fee is used to support the evaluation of groundwater supplies, conduct groundwater studies, and to carry out monitoring and processing of groundwater data. (ORS 537.545)

**DAM SAFETY ANNUAL FEES**  
(OAR Chapter 690, Division 20)

The hazard rating is based on potential damage a dam can do to downstream infrastructure or people if it catastrophically failed. It is not a reflection on the condition or maintenance of the existing dam. The rating is determined by calculating or estimating the degree of flooding that would occur and whether homes, roads or business would be flooded, and if there is a potential for loss of life.

Low Hazard Rating Fee .....	\$120.00
Significant Hazard Rating Fee .....	\$230.00
High Hazard Rating Fee.....	\$790.00
Late Fee.....	\$140.00



**OTHER FEES**

## Filing a protest:

- By a non-applicant .....\$950.00
- By an applicant.....\$480.00

To request standing in a contested case hearing.....\$270.00

To participate in a contested case hearing (requires standing) .....\$680.00

To request a basin program exception under ORS 536.295..... \$780.00

Extension of time to develop a water use permit or transfer.....\$780.00

To reinstate a permit that has been cancelled.....\$610.00

Assignment or partial assignment of a water right application, permit  
or license under 537.220 or 537.635.....\$120.00

Assignment (“Split-A-Permit”) of a water right to one or more  
landowners and issuance of replacement water right permits .....Actual cost of work

To submit a Claim of Beneficial Use for permits or transfers with a  
priority date of July 9, 1987 or later .....\$230.00

Blueprint or Computer-Generated Map..... Actual cost of the work

To receive a copy of both a Proposed Final Order and Final Order on a pending water right  
application or permit extension .....\$35.00

Certification of Copies (fee for each certificate) .....\$14.00

## Copying of documents by the Department:

- For the 1<sup>st</sup> page .....\$2.70
- For each additional page ..... \$0.70

## Copying of documents by the customer:

- Minimum charge.....\$2.00
- Charge per page.....\$0.10

## Research and scanning of water rights:

- Minimum charge..... (½ hour)
- Charge per hour.....Actual cost of work

Adjudication Claim Fees.....see ORS 539.081

# Certified Water Right Examiner Contact Information Updating Procedures

## **To Begin:**

Navigate to the CWRE License Login web page at:

[https://apps.wrd.state.or.us/apps/wr/cwre\\_address\\_update/login.aspx?ReturnUrl=/apps/wr/cwre\\_address\\_update](https://apps.wrd.state.or.us/apps/wr/cwre_address_update/login.aspx?ReturnUrl=/apps/wr/cwre_address_update)

-OR-

Follow the link on the Resources for Water Right Examiners page titled “Update Contact Information” identified under “Other Resources”.

Once there, enter your user name and password (previously provided)

\*\*Tip – the password is case sensitive

If you have properly entered your user name and password, your contact information will appear on the left side of the page.

## **Updating your contact information:**

Review the “Our Records Indicate” fields.

If changes are necessary, make changes to any fields where the information is incorrect or incomplete in the “Changes” fields.

The amount of information you provide is your choice. For example, if you only want to include your work contact information, and do not want to provide home contact information, you do not need to include it.

If you want to change your password, this can be done on the “Changes” portion of this page.

## **Making your name available to the public:**

On the update page, indicate “Y” or “N” for “Make available to the public”

If you choose to make your information available to the public, select the counties in which you are interested in working in from the “Available Counties” list.

To select a county, left click on the county or group of counties, and then left click on the arrow pointing right toward the “Selected Counties” table. The selected counties should move to the “Selected Counties” table.

**To finalize your changes/entries, select the “Update” button and your new contact information will be displayed on the screen.**

