

Division 512 Informational Sessions

Oregon Water Resources Department

June 23-26, 2025



Presentation Outline

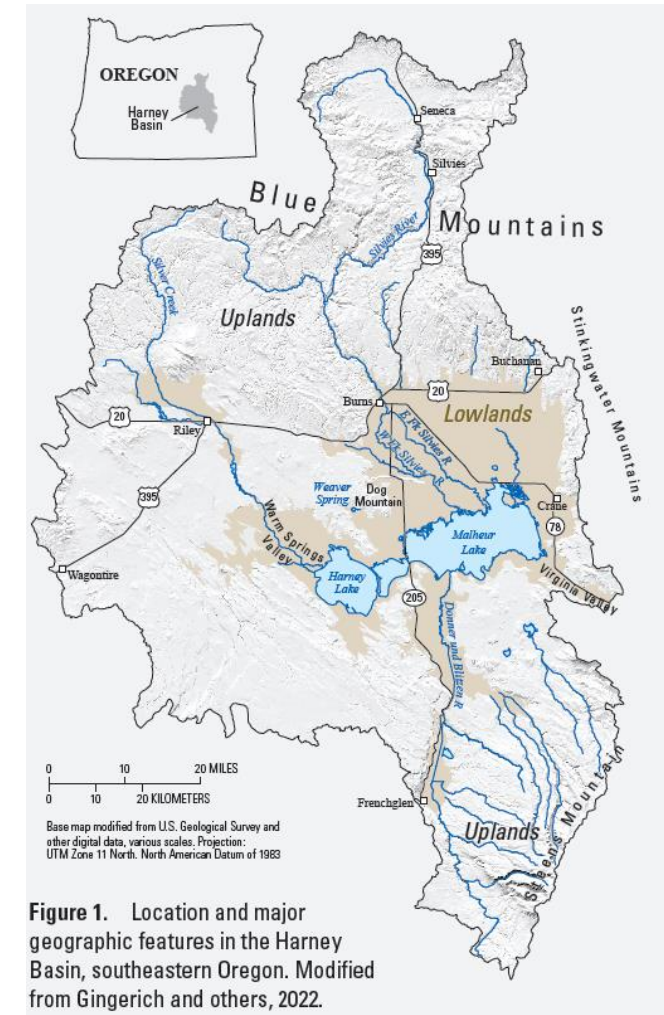
- Why rulemaking is needed
- Strategy and tools being implemented
 - Classification
 - Critical Groundwater Area
 - Serious Water Management Problem Area
- Q&A
- What's next



Why rulemaking is needed

The Groundwater Reservoir

- One groundwater reservoir
- Occurs in multiple connected geologic units (aka "rocks")
- Behaves differently through different geologic units
- Rates and magnitudes of recharge and discharge vary based on location

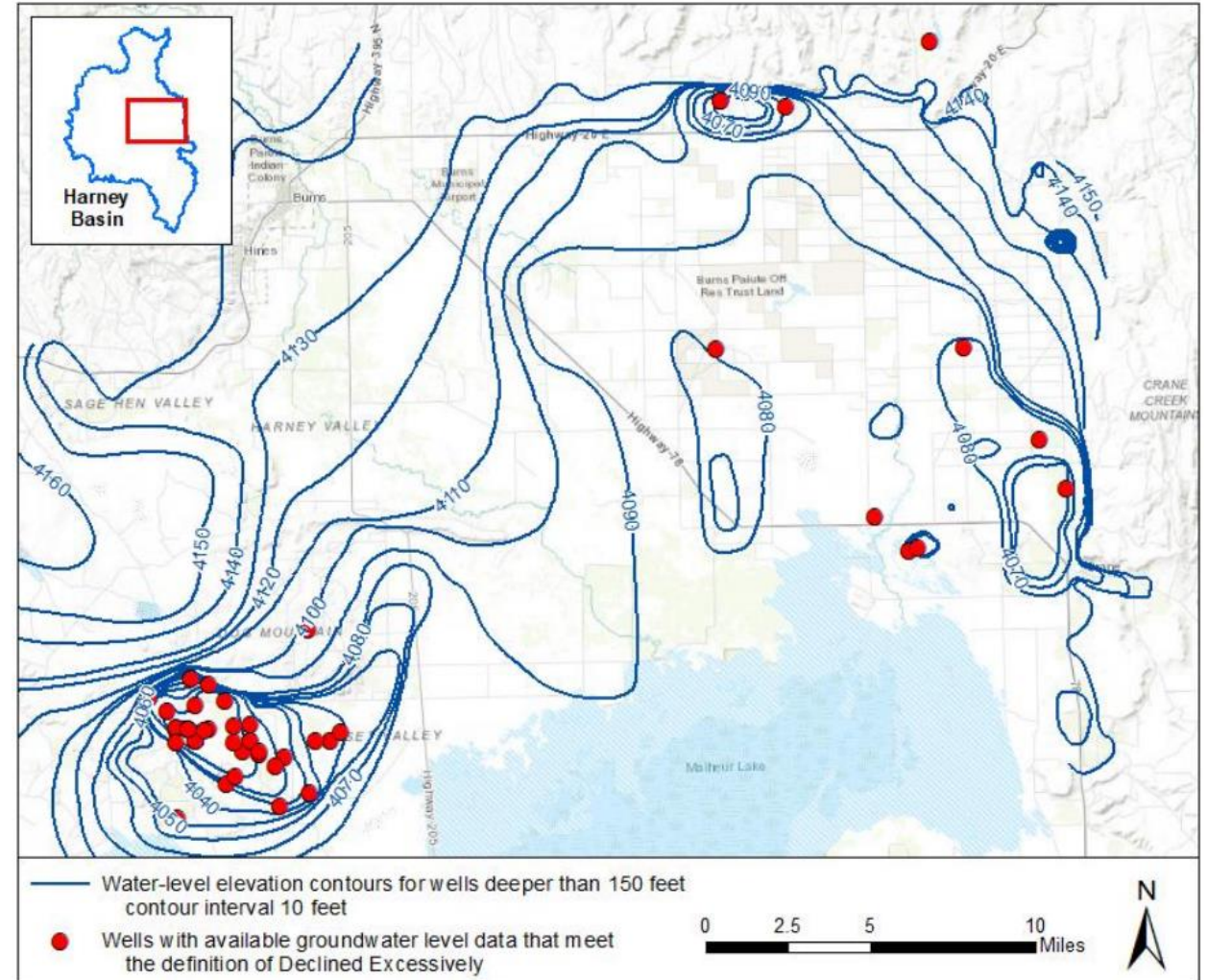


Critical Groundwater Area Criteria

- Groundwater levels have **declined excessively** (> 50 ft total decline) and are **excessively declining** (decline > 3ft per year for at least 10 years)
- The available groundwater supply is being or is about to be **overdrawn** (pumping > recharge)

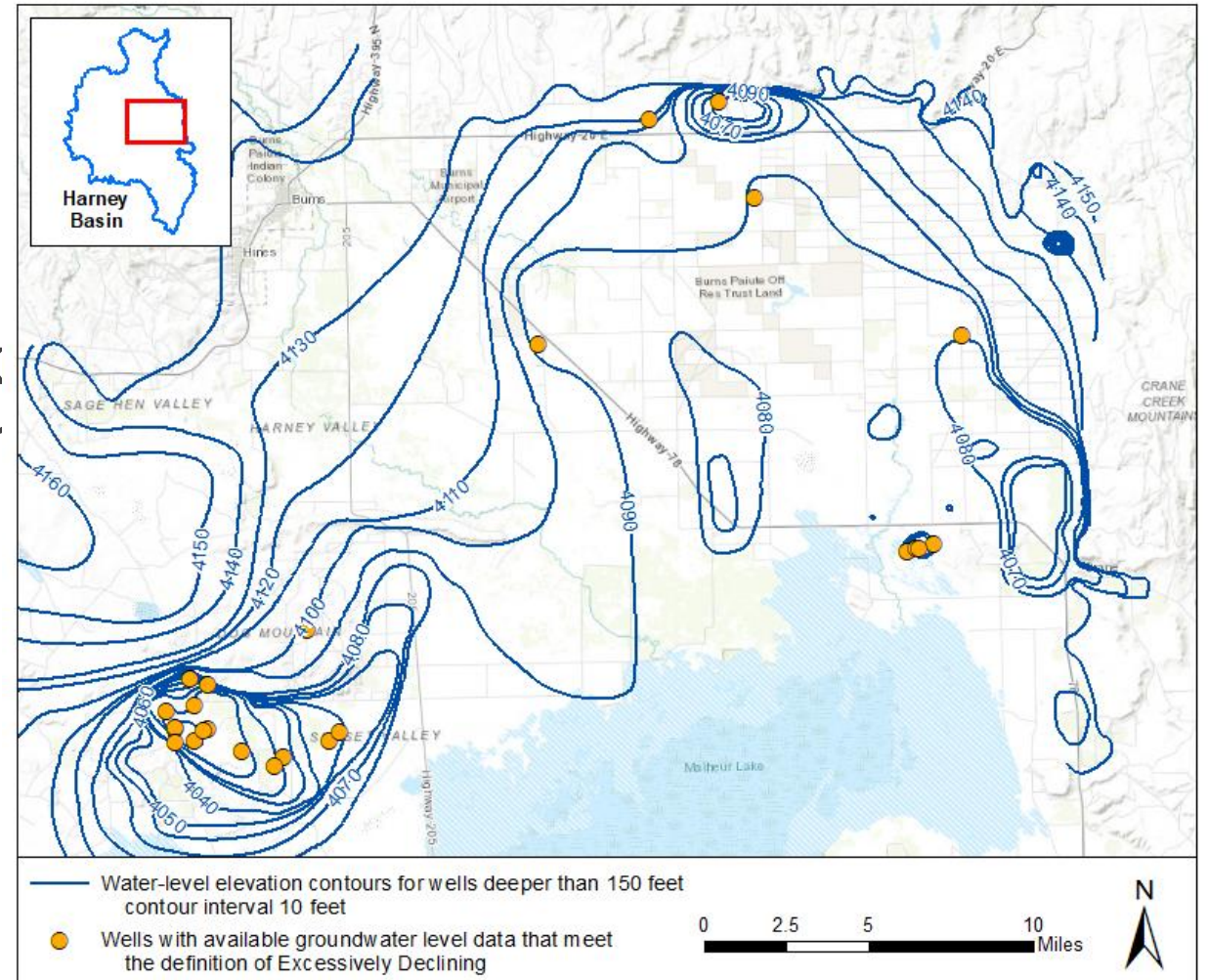
Declined Excessively

- Greater than 50 ft of decline from highest known levels
- Data on wells meeting this threshold is limited by:
 - Lack of **historic** measurements for wells
 - Lack of **current** measurements for wells
- More wells expected to reach this threshold within several years



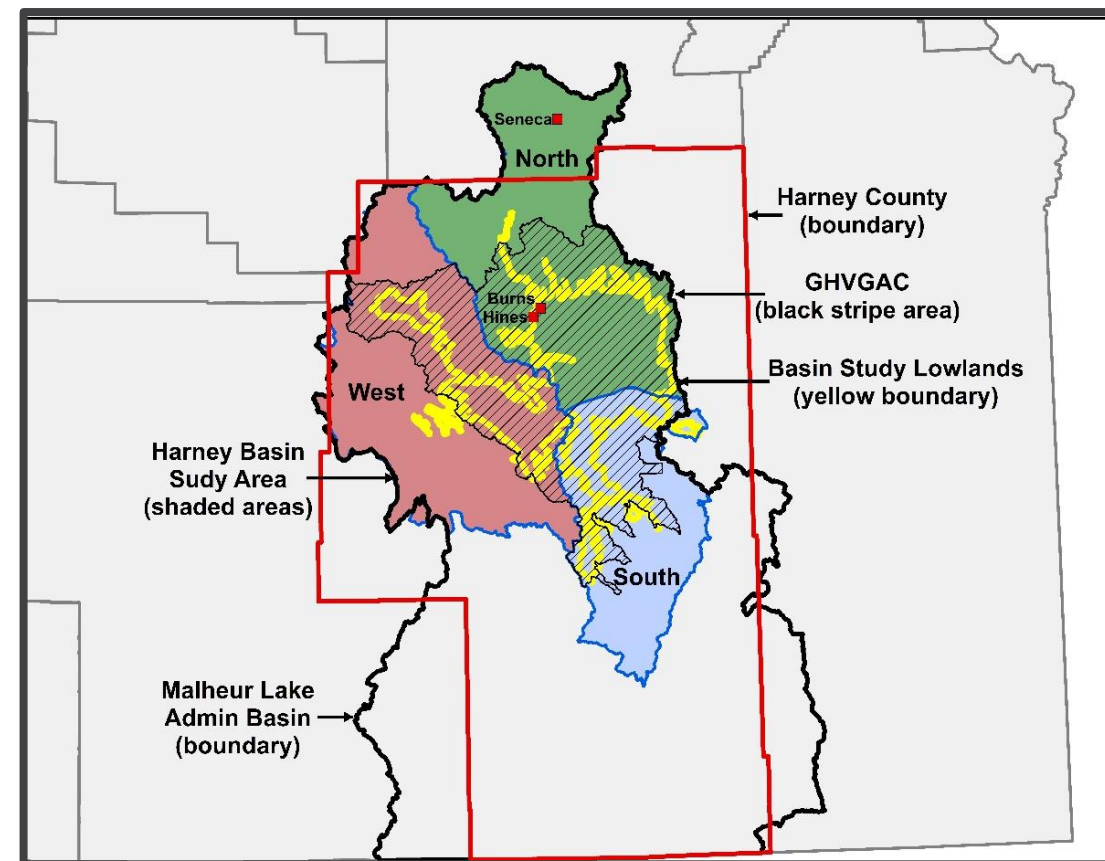
Excessively Declining

- Decline rate at least 3 ft per year for at least 10 years
- Data on wells meeting this threshold is limited by a lack of current measurements for wells
- More wells expected to reach this threshold within several years



Overdrawn

| Water Budget Region | Difference of lowland recharge and pumpage (AF/yr) | Difference of lowland recharge and authorized use (AF/yr) |
|---------------------|--|---|
| Northern region | -2,700 | -96,454 |
| Southern region | 26,400 | 10,557 |
| Western region | 4,500 | -18,204 |
| Harney Basin | 28,200 | -104,101 |



Strategy and tools being implemented

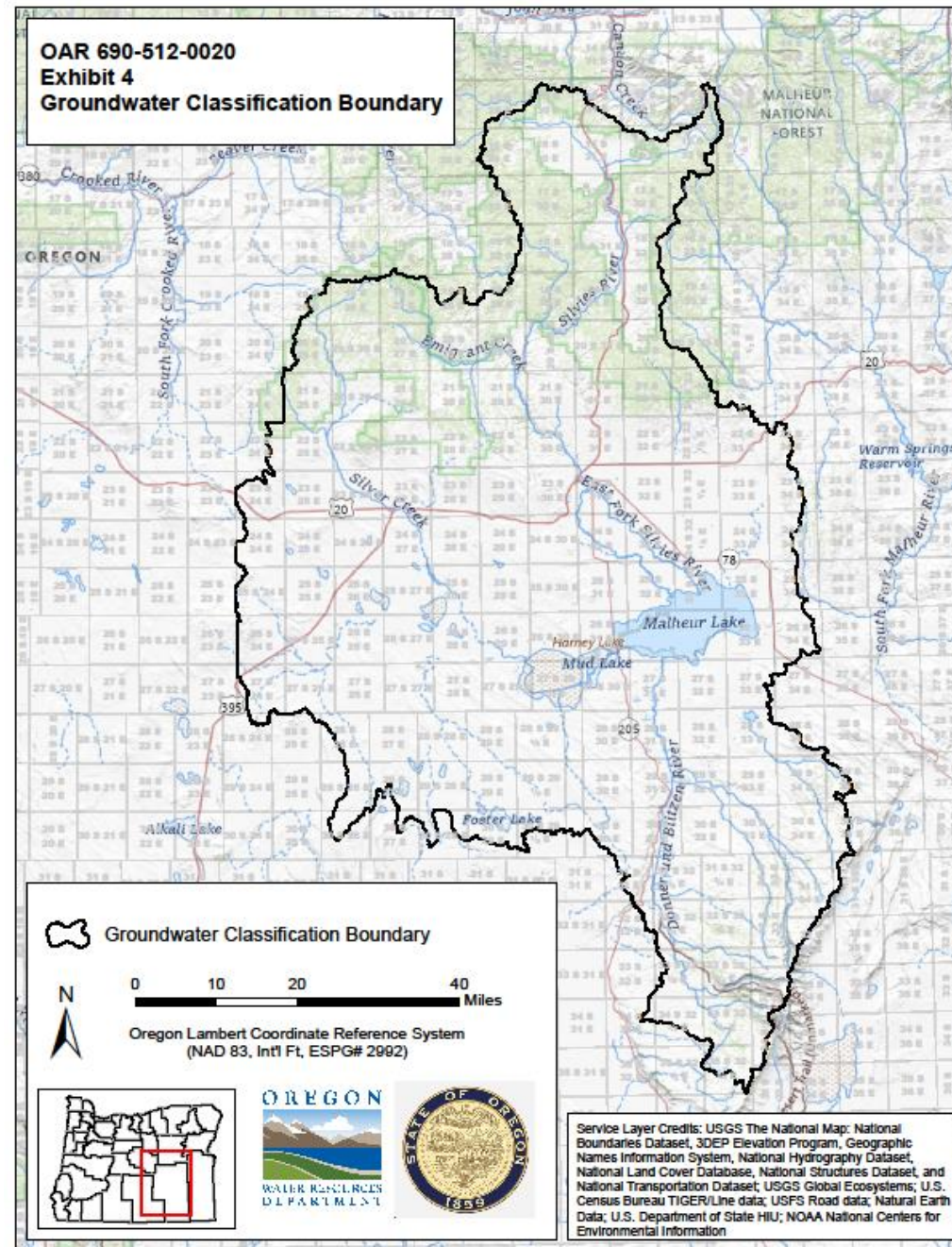
Tools overview

| Regulatory Tool | Description | Strategy | What does it control? |
|---|--|-------------------------------|------------------------------------|
| Classification | Classify type and quantity of water use allowed | Protect recharge | Future groundwater appropriation |
| Critical Groundwater Area (CGWA) | Control current groundwater use to prevent further decline | Reduce groundwater use | Current groundwater use |
| Serious Water Management Problem Area (SWMPA) | Require reporting and measurement of water use | Achieve accountable water use | Current and future groundwater use |

Classification

Classification Boundary

Exhibit 4



Classification

New water uses within the boundary will be limited to:

- Exempt uses (ORS 537.545)
- Nonconsumptive geothermal uses

This means no new groundwater rights will be issued for anything except nonconsumptive geothermal

Does not affect transfer of existing rights

Critical Groundwater Area

Goal for Each Subarea

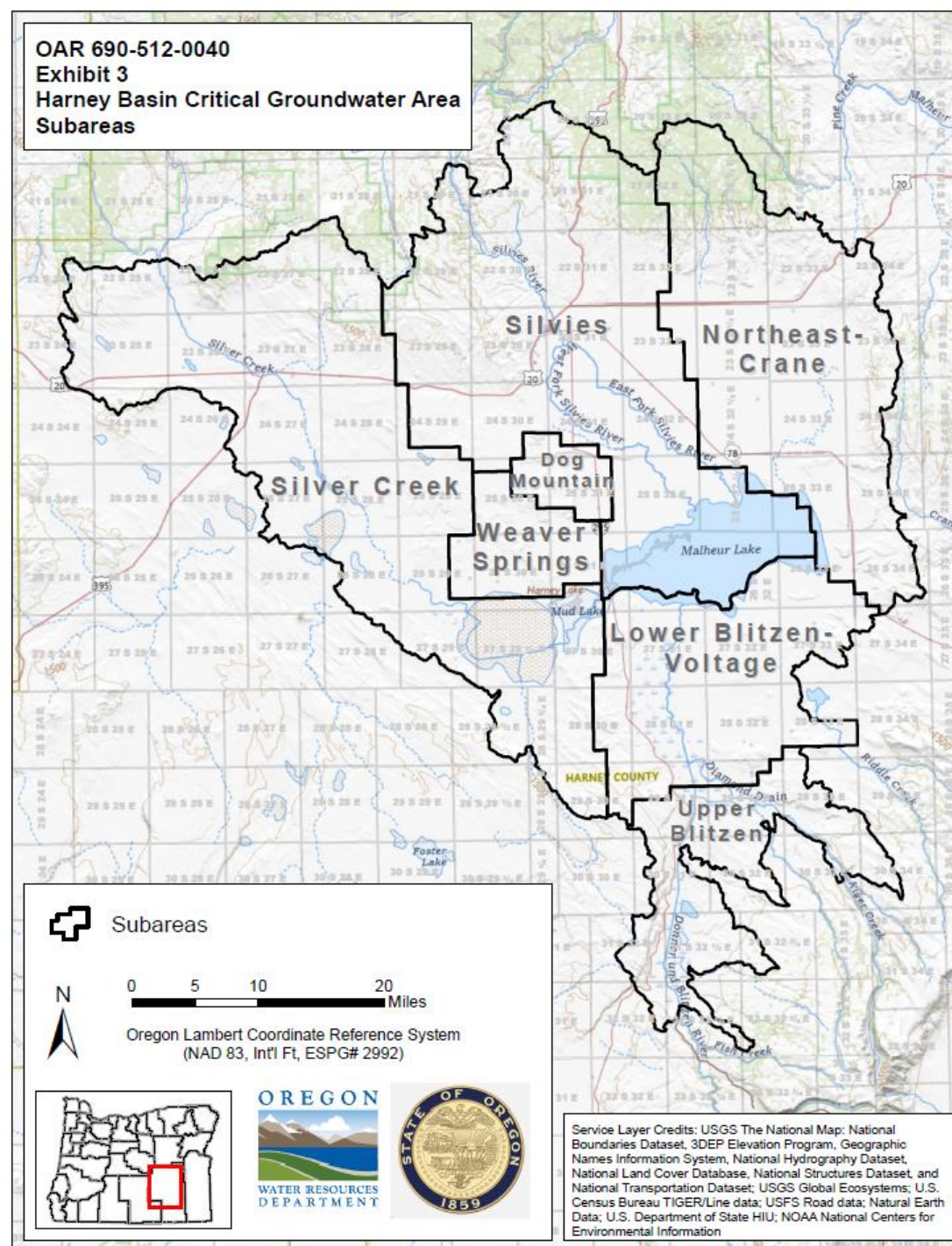
- Stabilize groundwater levels in 30 years
 - Target Water Level Trend – the rule term for the goal
 - Measured as zero decline over a 6-year period

Regular Reviews

- Every 3 years - review the rules
- Every 10 years - review conditions
- For each review:
 - Present at a public meeting in the basin and accept comment
 - Summarize comments and present at a Water Resources Commission meeting where public comment is accepted

Exhibit 3

Harney Basin Critical Groundwater Area Subareas



Establish PTW for Each Subarea

- “Permissible Total Withdrawal” is the annual volume of groundwater the Department has determined can achieve the target groundwater level trend by 2058 when following the schedule of reductions defined in OAR 690-512-0070.
- Presented in acre feet (AF) by subarea
- PTW is established in rule OAR 690-512-0050

Proposed Reductions by Subarea

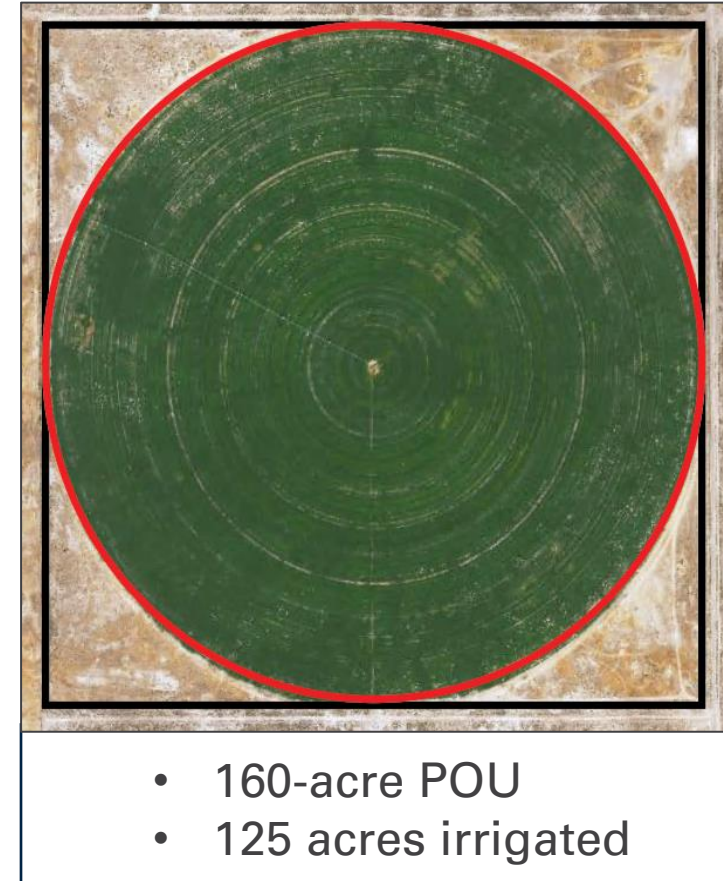
| Subarea | Estimated 2018 Pumpage (kaf/yr) | WRD Proposal PTW (kaf/yr)* | Difference (%) |
|-----------------------------------|---------------------------------------|----------------------------------|----------------|
| Dog Mountain | 4.6 | 4.2 | -9% |
| Lower Blitzen- Voltage | 13.7 | 8.3 | -39% |
| Northeast-Crane | 53.0 | 35.0 | -34% |
| Silver Creek | 21.0 | 15.2 | -28% |
| Silvies | 24.9 | 21.2 | -15% |
| Upper Blitzen | 0.1 | 0.1 | 0% |
| Weaver Springs | 19.2 | 4.8 | -75% |
| Overall | 136.5 | 88.8 | -35% |

Initial Allotment – establish current use

- The intent is to provide water to the maximum number of beneficially used rights
- Allotment will be an order reducing the quantity of water allowed to be pumped under each right
- The process for determining initial allotment is laid out in rule OAR 690-512-0060

Irrigation Rights

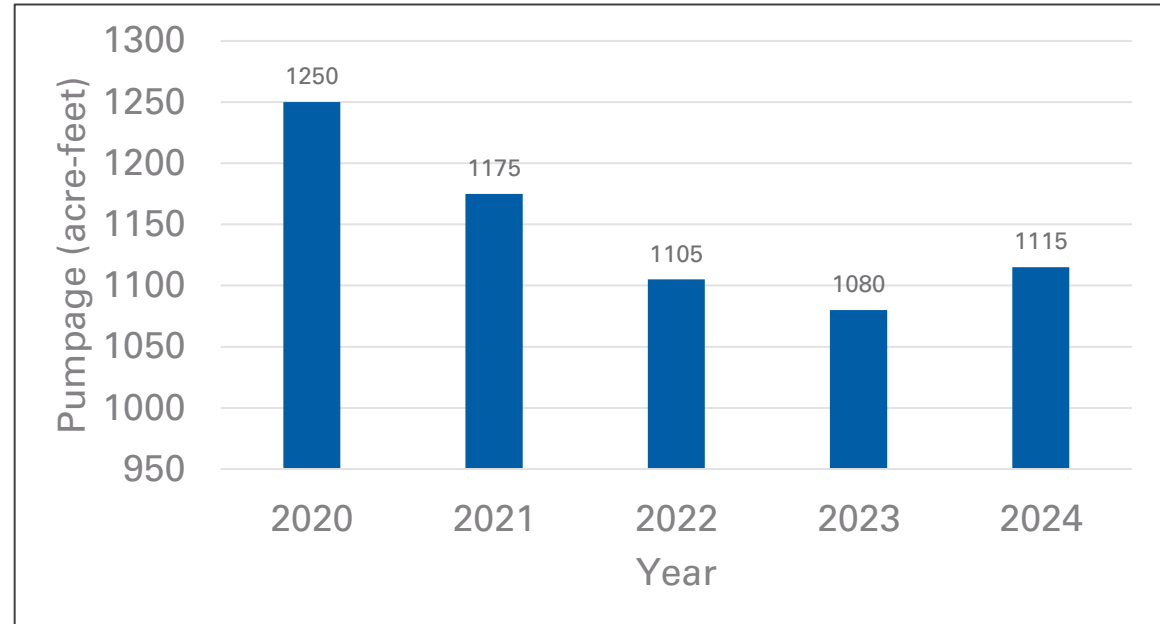
- Use a duty of 2.5 acre-feet per acre for primary and supplemental groundwater rights
- Consider the historic, beneficial use in the five-year period from 2020 to 2024 when identifying the number of acres that will be allotted water



$$125 \text{ Acres} * 2.5 \text{ AF/acre} = 312.5 \text{ AF}$$

Municipal and Quasi-Municipal

- Allotted 110% of the greatest single-year quantity reported in five-year period from 2020 to 2024.
- Re-evaluate at each adaptive management checkpoint and adjust to 110% of the greatest single year quantity in the preceding 6 years.



- Greatest single year = 1,250 acre-feet
- $1,250 + 10\% = 1,375$ acre-feet

All other rights

Considerations:

- Limits of the groundwater right
- Historic beneficial use in the five-year period from 2020 to 2024
- Whether or not water is physically capable of pumping and putting to a beneficial use
- Factors deemed appropriate by the Department to determine historic beneficial use

Schedule for Reductions – Getting to success

$$\textit{Initial Allotment} - \textit{PTW} = \textit{Volume to reduce}$$

- Junior rights curtailed first
- Enforced after the contested case is complete
- Reduction schedule is laid out in rule OAR 690-512-0070

Schedule for reductions

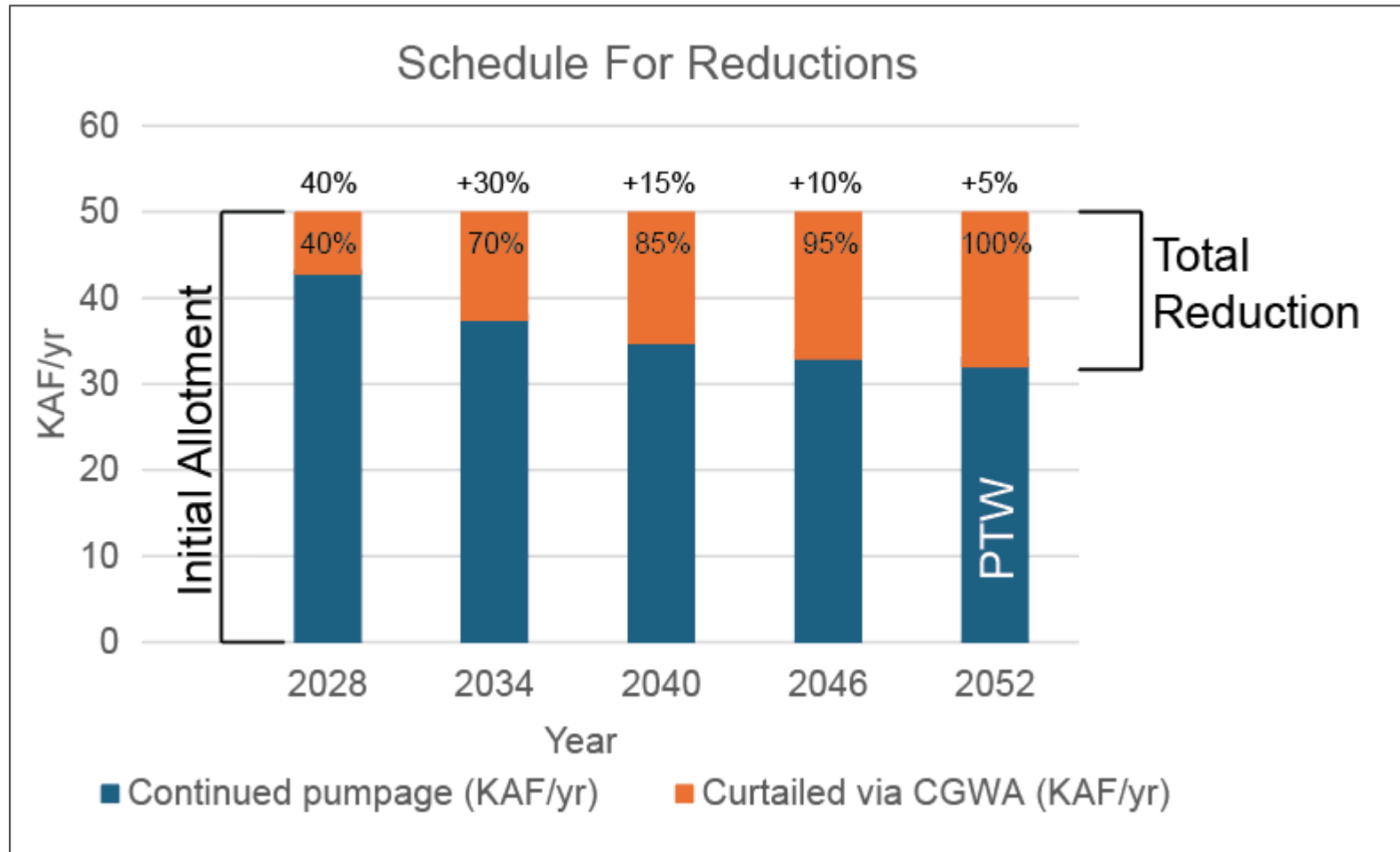


Figure is illustrative only. It does NOT reflect any specific subarea.

Evaluating Progress – Adaptive Management

- Evaluate groundwater levels in 2027 and delay reductions scheduled for 2028 if water levels are:
 - At or above 2022 levels, and
 - The target water level trend is zero decline
- Otherwise, adhere to the reduction schedule.
- The Department may measure any point of appropriation (well on a water right) to ensure data is available.

Evaluating Progress

- Checkpoints in 2033, 2039, 2045, and 2051
- Evaluate median water level for each subarea and compare it to the modeled trajectory
- If water levels are:
 - **On track → no adjustments to scheduled reductions**
 - **Higher than expected → implement fewer reductions**
 - **Lower than expected → implement accelerated reductions**
- Meet in the Basin to announce changes and accept public comment

Adaptive management laid out in rule OAR 690-512-0080.

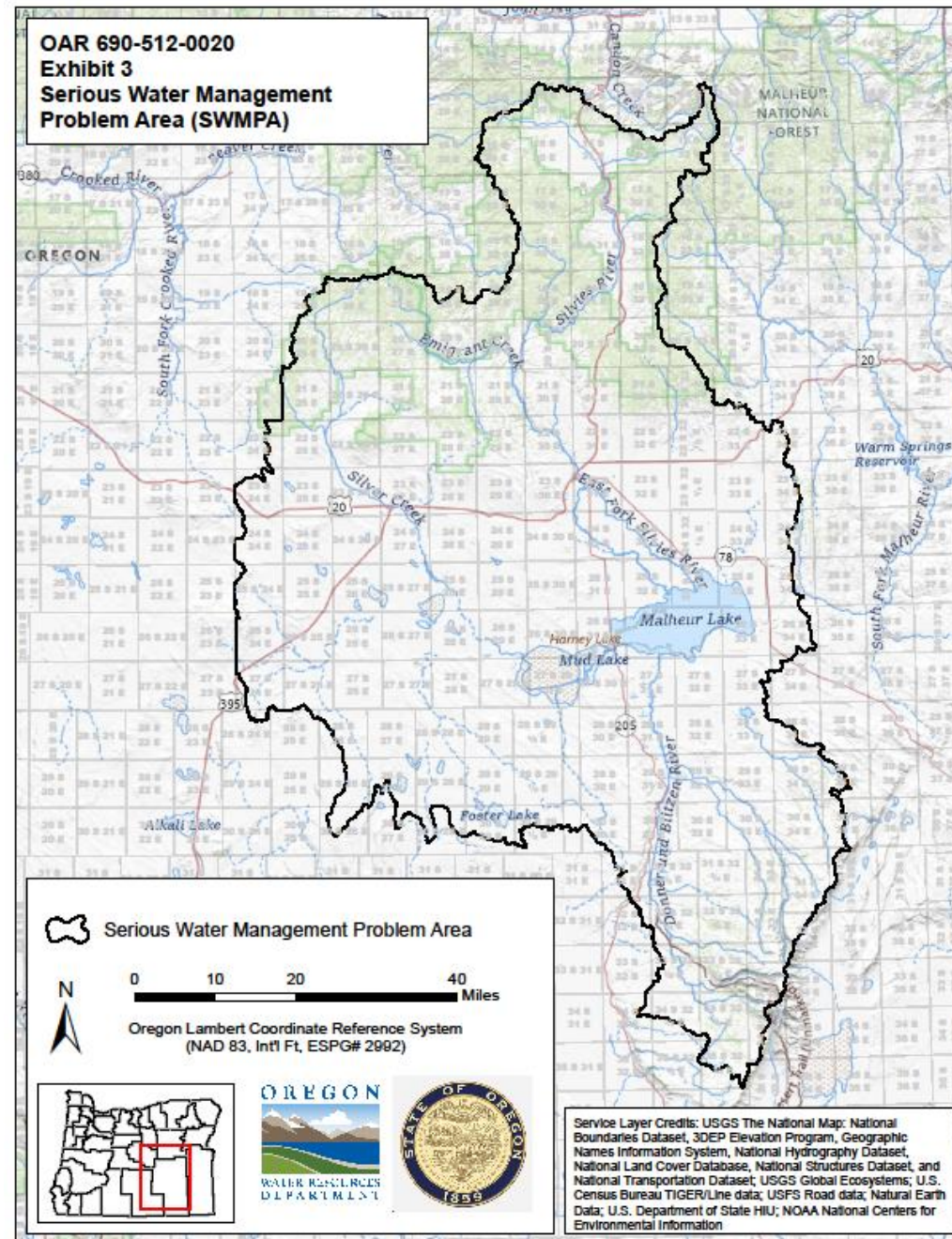
Evaluating Success

- No sooner than 2058, evaluate the water level trends and test if the target water level trend is achieved
- Depending on the results, additional actions may be taken:
 - If **unsuccessful**, and **pumping > PTW**, implement remaining reductions
 - If **unsuccessful**, and **pumping = PTW**, then do rulemaking to adjust PTW
 - If **successful**, and **pumping > PTW**, then do rulemaking to adjust PTW

Serious Water Management Problem Area (SWMPA)

Exhibit 3

Serious Water Management Problem Area



Measurement Device Requirement

- By March 1, 2028, all groundwater rights holders, well owners, and well operators must install and maintain a totalizing flow meter on each well listed as a Point of Appropriation (POA)
- Flowmeter must be installed according to specifications, maintained in good working order and must be accessible by Department
- Failure to install may result in shut off of well and assessment of civil penalties

Reporting Requirement

- Data must be:
 - Recorded monthly
 - Reported annually by December 31st

Non-Functioning Flowmeters

- Non-functioning meters must be reported within 48 hours of discovery
- Water may not be used for more than 60 days following the discovery of a non-functioning meter
- Monthly measurement still required
- Report repair of meter within 48 hours

Q and A

What's Next

Public Comments

- Accepted June 2 through August 7, 2025 (5:00 p.m.)
- Submitted in writing to
Kelly Mainz – Rulemaking Coordinator
Oregon Water Resources Department
725 Summer St. N.E. Suite A
Salem, OR 97301-1271
- Submitted by email to
[WRD DL rule-coordinator@water.oregon.gov](mailto:WRD_DL_rule-coordinator@water.oregon.gov)
- Provided in person during scheduled June and August 2025 public hearings

Info Sessions & Public Hearings

BURNS - The Pine Room, 543 W. Monroe Street, Burns, OR 97720

Monday, June 23, 2025

Information Session: 5:30 - 6:30 p.m.

Public Hearing: 7:00 – 8:00 p.m.

CRANE - Crane Store and Cafe, Gas and RV Camping, 57466 OR-78, Crane, OR 97732

Tuesday, June 24, 2025

Information Session: 10:00 – 11:00 a.m. Public Hearing: 11:15 a.m. – 12:15 p.m.

DIAMOND - Hotel Diamond, 49130 Main Street, Diamond, OR 97722

Tuesday, June 24, 2025

Information Session: 5:30-6:30 p.m.

Public Hearing: 7:00 – 8:00 p.m.

RILEY - Suntex Elementary School, 68178 Silver Creek Road, Riley, OR 97758

Wednesday, June 25, 2025

Information Session: 10:00 – 11:00 a.m. Public Hearing: 11:15 a.m. – 12:15 p.m.

Double O – Double O School, 66077 Double O Road, Hines, OR 97738

Wednesday, June 25, 2025

Information Session 5:30 – 6:30 p.m. Public hearing 7 -8 p.

SENECA - Seneca Elementary School, 101 Park Avenue, Seneca, OR 97873

Thursday, June 26, 2025

Information Session: 5:30-6:30 p.m.

Public Hearing: 7:00 – 8:00 p.m.

Public Hearings

SENECA - Seneca Elementary School, 101 Park Avenue, Seneca, OR 97873

Monday, August 4, 2025

Public Hearing: 5-6:30 p.m.

BURNS w/ Virtual Option –

Harney County Community Center, 478 N. Broadway Ave., Burns, OR 97220

Tuesday, August 5, 2025

Public Hearing: 10 a.m. – 12 p.m.

BURNS w/ Virtual Option –

Harney County Community Center, 478 N. Broadway Ave., Burns, OR 97220

Tuesday, August 5, 2025

Public Hearing: 5:00 – 7:00 p.m.

To register for **Virtual Option**, email [**WRD_DL_rule-coordinator@water.oregon.gov**](mailto:WRD_DL_rule-coordinator@water.oregon.gov)

Rule Revision & Adoption

- Staff to evaluate/incorporate public input into **rule revisions**, as appropriate, August – October 2025
- Staff to prepare **report for the Water Resources Commission**, October – November 2025
- Staff to present proposed rules to the Commission for consideration for **adoption by December 2025**

More Info Online

Today's information session will be posted online, with other information about our rulemaking, accessible here:

<https://www.oregon.gov/owrd/programs/policylawandrules/OARS/Pages/Division-512-Rulemaking.aspx>

Or scan the QR code:



OREGON



WATER RESOURCES
DEPARTMENT

Thank you!

WRD_DL_rule-coordinator@water.oregon.gov



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