

Draft Serious Water Management Problem Area (SWMPA) Rule Language

690-512-#### Serious Water Management Problem Area (SWMPA)

- (1) The SWMPA boundary is defined in 690-512-#### and meets the groundwater conditions defined in 690-085-0020(1)(a) and 690-085-0020(1)(f).
- (2) By no later than March 1, 2028, each groundwater right holder, well owner, or well operator shall properly install and thereafter properly maintain a totalizing flow meter on each well within the Harney SWMPA boundary as defined in 690-512-#### listed as a point of appropriation on a valid water right. Totalizing flow meters shall be properly installed according to manufacturer's specifications and must meet the specifications in subsection 5.
- (3) Totalizing flow meters and the method of flow meter installation may be subject to approval by Department staff. Once installed, totalizing flow meters must be maintained in good working order. Department staff shall have reasonable access to the totalizing flow meters upon request pursuant to ORS 537.780(1)(e).
- (4) The groundwater right holder, well owner, or well operator shall keep a complete record of the volume of water appropriated each month. The groundwater right holder, well owner, or well operator shall submit a report that includes water use measurements to the Department on an annual basis by December 31 of each calendar year for the preceding water year (October 1 to September 30). Reports shall be submitted on a form developed and maintained by the Department.
- (5) A totalizing flow meter shall meet the following specifications:
 - a. A totalizing flow meter shall have a rated accuracy of plus or minus 2 percent of actual flow for all flow rates for which the meter is expected to measure.
 - b. A totalizing flow meter shall measure the entire discharge from the well.
 - c. A totalizing flow meter shall have a sweep hand or digital readout so that instantaneous flow rate can be read.
 - d. The totalizing part of the flow meter shall have sufficient capacity to record the quantity of water authorized to be pumped over a period of 2 years. Units of water measurement shall be in acre-feet, cubic-feet, or gallons, and the totalizer shall read directly in one of these units. Flow meters recording in acre-feet shall, at a minimum, read to the nearest 1/10th acre-foot, and the decimal multiplier shall be clearly indicated on the face of the register head.
 - e. Totalizers on each meter shall not be field reset without notice to and written permission from the local watermaster. Prior to resetting the totalizers, the final reading must be recorded and reported.
 - f. The totalizing flow meter shall be installed in accordance with all manufacturer specifications. There shall be no turnouts or diversions between the well and the flow meter. The flow meter shall be installed not less than five pipe diameters downstream from any valve, elbow, or other obstruction which might create turbulent flow, or other provisions shall be made that meet the manufacturer's specifications to control or eliminate turbulent flow.
 - g. The totalizing flow meter shall be installed no more than 100 feet away from the well head.

- (6) A water user shall report broken flow meters to the local watermaster's office within 48 hours after determining that the flow meter is broken. A water user shall not appropriate for more than 60 days without an operating flow meter.
- (7) While the flow meter is broken, the water user shall use other methods of measurement as defined under OAR 690-085-0015(5)(a) –(c) until the flowmeter is replaced or repaired. The water user shall keep the monthly data and mail the data to the Department upon request of the Department. The data shall include a statement of the initial reading on the newly installed flow meter, the current power meter reading and the time of operation. The water user shall notify the local watermaster within 48 hours of installing the repaired or replacement flow meter.
- (8) Failure to have and maintain a properly installed, functioning totalizing flow meter by March 1, 2028 will result in the local watermaster regulating and controlling an unmetered well such that no groundwater may be pumped or appropriated until a flow meter is obtained and installed consistent with these rules.
- (9) Consistent with ORS 536.900, ORS 183.745, and OAR 690-260, the Department may assess civil penalties for violation of these rules.

Statutory/Other Authority: ORS 537.026, ORS 540.435

Statutes/Others Implemented: ORS 540.435

Rule Summary: This rule describes the requirements for the Serious Water Management Problem Area designation.