



House Bill 4084 Permit Catalog

Contents

Groundwater Registration Modification2

Water Right Transfers (Permanent Changes)4

Water Right Transfers (Temporary Changes)7

Limited License to Use Water 11

Aquifer Storage and Recovery..... 13

Artificial Groundwater Recharge..... 15

Permit to Store Water (Alternate) 17

Permit to Store Water (Standard Review)..... 19

Surface Water Appropriation Permit21

Ground Water Appropriation Permit.....23

Expedited Secondary Use26

Groundwater Registration Modification

The statutory authority, regulatory authority or other authority for issuing the permit:

The controlling statute for this permit is ORS 537.610, and the controlling regulations are in OAR chapter 690, division 382.

Is this permit a requirement of a federally delegated program? If yes, please provide the name of the federal program.

No

Provide a brief description and purpose for this permit:

Anyone that claimed a beneficial use of groundwater prior to August 3, 1955, and properly registered their use with the Department was issued a certificate of registration. The certificate of registration serves as prima facie evidence that the registrant is entitled to appropriate and beneficially use groundwater. A groundwater registration modification is a request for recognition of a change to a certificate of registration.

What is the standard duration of this permit?

There is no standard duration for groundwater registration modification. A certificate of registration may not be construed as a final determination of any matter stated in the certificate of registration. The right of the registrant to appropriate groundwater under a certificate of registration is subject to determination under ORS 537.670 to 537.695, and is not final or conclusive until so determined and a groundwater right certificate issued. ORS 537.610(3).

What information is needed for the application to be considered complete and what is the source of the info?

This application must meet a very detailed set of criteria in OAR 690-382 and OAR 690-305, which, among other things, requires the specific location of the source, area of use, and any portions not involved in the application.

Please describe the process for how your agency handles incomplete applications for this permit:

OWRD will return incomplete applications, along with fees paid, to the applicant with a written description of the deficiencies. OAR 690-382-0550(2). There are no timelines for this process.

If readily available, please provide the number of incomplete applications the agency receives annually:

Between 2018 and 2026, the agency returned 10 applications. So, on average, the Department returns approximately one (1) incomplete application annually.

Is there a statutory or regulatory requirement governing the time within which the agency must process applications for the permit? If yes, please describe the timeframe.

There are no specific statutes or rules governing the processing time for groundwater registration modification applications. However, OAR 690-382-0550 provides that upon receipt of a complete application, OWRD shall complete an initial review. After this, the applicant has at least 30 days to address issues raised by OWRD's initial review. If all issues are addressed, OWRD will give notice of the initial review and the public has 30 days to provide written comment. See OAR 690-382-0600. OWRD will then consider the applicant's and public's feedback and issue a proposed final order. Upon its issuance, OWRD will give notice of the proposed final order, initiating a 45-day period within which any person may file a protest. If no protests are filed, the order automatically becomes final. OAR 690-382-1000(3).

What is the application fee for the permit?

Examination of an application to ONLY change the place of use under a groundwater certificate of registration is \$1,911, and examination of all other applications to modify a groundwater certificate of registration is \$2,730.

Is there a statutory, regulatory or other authority for the permit application fee?

ORS 537.610, OAR 690-382-0400(18). ORS 537.610 sets the statutory maximum fee, while OAR 690-382-0400(18) sets the actual fee charged (being: a) 70 percent of the amount allowed in ORS 537.610 for a change to only the place of use; or b) the maximum amount in ORS 537.610 for all other changes).

When was the application fee last changed? Please provide the date of the last change and how much the application fee increased or decreased.

This fee was last updated on April 1, 2026.

Has your agency evaluated or identified opportunities to streamline the decision making process such as, eliminating unnecessary steps or barriers, reducing the number of incomplete applications, or eliminating any obsolete or unnecessary approval processes?

Over the last two years, processes and policies related to water right transactions have changed significantly. In 2024, OWRD evaluated changes that could be made to improve efficiency in processing the various water right transactions. In addition to taking internal administrative actions, the Department worked with the Oregon legislature to pass two pieces of modernization legislation, House bills 3544 and 3342. Simultaneously, the Department began a rule update process to implement the changes made by House Bills 3544 and 3342, as well as additional improvements that did not require legislation. The Department undertook the rulemaking at the end of 2025, into 2026, amending 18 divisions related to water right transactions processing. The goal of the rulemaking process was to (1) implement recent legislation; (2) implement other policy and process improvements relating to water rights transactions to streamline and align processes; and (3) incorporate general cleanup of rule divisions. These process changes went into effect on either January 1, 2026, April 1, 2026, or October 1, 2026. Many of these changes aimed to standardize the process across transactions, clarify rules that were confusing or outdated, reduce unnecessary administrative touch points, and remove delays that allowed for applications to sit without any action being taken, either by the Department or the applicant. We also adopted a rule division that established standardized criteria for maps to reduce confusion and increase efficiency by consolidating standard requirements in one section. Given the significant number of changes, a full summary of the changes made can be viewed online. (<https://www.oregon.gov/owrd/programs/WaterRights/Pages/Water-Right-Modernization.aspx>)

In addition to the process improvements mentioned above, the Department has been working with a contractor to conduct a Lean/Six-Sigma review of Transfer Program processes. As part of this effort, the team identified three focus areas with the potential to have the greatest impact on reducing processing timelines – caseworker consistency, improved templates, and peer review. Specific transfer process improvement actions, both completed and currently underway, are outlined below:

Action Items already implemented:

- Finalized two new guidance documents to promote increased consistency in transfer application processing.
- Established a prioritized ranking of different transfer application types to provide staff with clear direction for prioritizing their work.
- Established bi-weekly team meetings focused on reducing the number of (and eventually eliminating) transfer applications pending for 3 years or more and clarified the expectation to prioritize processing of these files, which are often more difficult.

- Clarified expectations of staff related to the handling of incomplete and deficient applications.
- Transitioned several aspects of transfer application processing to fully electronic formats
- Improved automated notification processes for certain federally recognized tribes

Ongoing Streamlining Efforts:

- Improving query/report capabilities for improved data tracking
- Evaluating the transfer application process to identify unnecessary process loops and back-and-forth touchpoints where streamlining improvements can be made.
- Implementing a small pilot project to transition from a paper process for handling fee payments to an “electronic” process for receiving and receipting application fees (District Transfers). Currently in the testing phase, but it shows promise.
- Exploring opportunities for email application submission, until such time as the Department is able to develop online submittal for all types of applications.
- Refining and simplifying transfer documents to improve readability.
- Performing audits and developing standard protocol for updating transfer policy and guidance materials, desk manuals, standard language, practices, and procedures to ensure they are current and centrally located so they are easily accessible by staff.
- Refining protocols to promote consistent methods of handling, documenting, and storing any public comments received on a transfer application.
Exploring development of different tools and methods for improving the peer-reviewed process.
- Improving the deficient application letter template to reduce the time it takes for staff to return an incomplete application.

Does the agency have an application backlog for this permit?

yes

Approximately how many applications for this permit are currently pending at the agency?

There are currently 53 groundwater registration modification applications pending at the agency (as of 9/22/2026).

Provide any other information you feel is relevant to understanding the permit requirement:

N/A

Water Right Transfers (Permanent Changes)

The statutory authority, regulatory authority or other authority for issuing the permit:

The statutes authorizing permanent transfers include ORS 540.510, 540.520, and 540.530, and the controlling regulations are in OAR chapter 690, division 380.

Is this permit a requirement of a federally delegated program? If yes, please provide the name of the federal program.

No

Provide a brief description and purpose for this permit:

A water right transfer allows a water right holder to permanently change aspects of their water right, including the point of diversion (for surface water), point of appropriation (for groundwater), the place of use, the character or use, or any combination of these without losing priority of the right. ORS 540.520; OAR 690-380-2000. A permanent water right transfer also allows a water right holder to change a surface water point of diversion to a groundwater appropriation provided they meet criteria outlined in ORS 540.531, as well as ORS 540.520 and ORS 540.530. See OAR 690-380-2130. The water right must be a “water use subject to transfer” (defined in ORS 540.505(4)). ORS 540.510(1)(a).

What is the standard duration of this permit?

Transfers are permanent once approved.

What information is needed for the application to be considered complete and what is the source of the info?

This application must meet a very detailed set of criteria in ORS 536.050, ORS 540.510, ORS 540.520, OAR 690-380 and OAR 690-305, which, among other things, requires information related to the existing water right to be transferred and the proposed changes the applicant wishes to make, a detailed map prepared by a certified water right examiner, a description of the current water delivery system, evidence of beneficial use made under the water right, contact information for any affected Tribal governments and local governments, and land use information.

Please describe the process for how your agency handles incomplete applications for this permit:

If the Department determines that the application does not include the required information or fees, or that the water rights proposed for transfer are not subject to transfer, the Department will return the application, along with fees paid, to the applicant with a written description of the deficiencies. 690-380-4000(1), (2).

If readily available, please provide the number of incomplete applications the agency receives annually:

The Department returns approximately 14 incomplete applications annually.

Is there a statutory or regulatory requirement governing the time within which the agency must process applications for the permit? If yes, please describe the timeframe.

There is no statute or rule governing the time within which OWRD must complete an initial review, nor does it govern the time within which it must issue a proposed or final order. However, there are statutory notice periods that OWRD must observe as part of application processing. First, OWRD must provide notice of its initial review and accept written public comments for 30 days. ORS 540.520(6)(c)(B). Second, upon issuance of a proposed final order, OWRD must give notice of the proposed final order by publication in the Department's weekly public notice, initiating a 30-day period within which any person may file a protest against the proposed final order. ORS 540.520(7) and (8). If no protests are filed, the order automatically becomes final. ORS 540.520(9). If OWRD determines that more than five water rights would be injured as a result of the proposed change, OWRD must also publish public notice once each week for two consecutive weeks in a newspaper of general circulation in the area where the water rights are located. ORS 540.520(7).

What is the application fee for the permit?

A base fee of \$2,040 for a change to a single water right, \$1,635 for each additional type of change requested, \$915 for each additional water right or permit included in the application, and \$615 for each additional point of appropriation in the application. For a request to change the place of use or type of use, \$615 for each second-foot or fraction beyond the first second-foot. For applications for an additional point of appropriation, a change in point of appropriation, or a change from surface water to groundwater, an additional fee of \$720 per

application.

Is there a statutory, regulatory or other authority for the permit application fee?

ORS 536.050(1)(h).

When was the application fee last changed? Please provide the date of the last change and how much the application fee increased or decreased.

All of these fees were last updated July 24, 2025.

Has your agency evaluated or identified opportunities to streamline the decision making process such as, eliminating unnecessary steps or barriers, reducing the number of incomplete applications, or eliminating any obsolete or unnecessary approval processes?

Over the last two years, processes and policies related to water right transactions have changed significantly. In 2024, OWRD evaluated changes that could be made to improve efficiency in processing the various water right transactions. In addition to taking internal administrative actions, the Department worked with the Oregon legislature to pass two pieces of modernization legislation, House bills 3544 and 3342. Simultaneously, the Department began a rule update process to implement the changes made by House Bills 3544 and 3342, as well as additional improvements that did not require legislation. The Department undertook the rulemaking at the end of 2025, into 2026, amending 18 divisions related to water right transactions processing. The goal of the rulemaking process was to (1) implement recent legislation; (2) implement other policy and process improvements relating to water rights transactions to streamline and align processes; and (3) incorporate general cleanup of rule divisions. These process changes went into effect on either January 1, 2026, April 1, 2026, or October 1, 2026. Many of these changes aimed to standardize the process across transactions, clarify rules that were confusing or outdated, reduce unnecessary administrative touch points, and remove delays that allowed for applications to sit without any action being taken, either by the Department or the applicant. We also adopted a rule division that established standardized criteria for maps to reduce confusion and increase efficiency by consolidating standard requirements in one section. Given the significant number of changes, a full summary of the changes made can be viewed online. (<https://www.oregon.gov/owrd/programs/WaterRights/Pages/Water-Right-Modernization.aspx>)

In addition to the process improvements mentioned above, the Department has been working with a contractor to conduct a Lean/Six-Sigma review of Transfer Program processes. As part of this effort, the team identified three focus areas with the potential to have the greatest impact on reducing processing timelines – caseworker consistency, improved templates, and peer review. Specific transfer process improvement actions, both completed and currently underway, are outlined below:

Action Items already implemented:

- Finalized two new guidance documents to promote increased consistency in transfer application processing.
- Established a prioritized ranking of different transfer application types to provide staff with clear direction for prioritizing their work.
- Established bi-weekly team meetings focused on reducing the number of (and eventually eliminating) transfer applications pending for 3 years or more and clarified the expectation to prioritize processing of these files, which are often more difficult.
- Clarified expectations of staff related to the handling of incomplete and deficient applications.
- Transitioned several aspects of transfer application processing to fully electronic formats
- Improved automated notification processes for certain federally recognized tribes

Ongoing Streamlining Efforts:

- Improving query/report capabilities for improved data tracking
- Evaluating the transfer application process to identify unnecessary process loops and back-and-forth touchpoints where streamlining improvements can be made.
- Implementing a small pilot project to transition from a paper process for handling fee payments to an “electronic” process for receiving and receipting application fees (District Transfers). Currently in the testing phase, but it shows promise.
- Exploring opportunities for email application submission, until such time as the Department is able to develop online submittal for all types of applications.
- Refining and simplifying transfer documents to improve readability.
- Performing audits and developing standard protocol for updating transfer policy and guidance materials, desk manuals, standard language, practices, and procedures to ensure they are current and centrally located so they are easily accessible by staff.
- Refining protocols to promote consistent methods of handling, documenting, and storing any public comments received on a transfer application.
Exploring development of different tools and methods for improving the peer-reviewed process.
- Improving the deficient application letter template to reduce the time it takes for staff to return an incomplete application.

Does the agency have an application backlog for this permit?

Yes

Approximately how many applications for this permit are currently pending at the agency?

There are currently 251 applications of this type pending at the agency (as of 9/22/2026).

Provide any other information you feel is relevant to understanding the permit requirement:

N/A

Water Right Transfers (Temporary Changes)

The statutory authority, regulatory authority or other authority for issuing the permit:

There are several different types of temporary transfers. The statutes authorizing OWRD to issue permits for these transfers include ORS 540.523, 536.750, and ORS 540.585, and the controlling regulations are in OAR chapter 690, divisions 19 and 380.

Is this permit a requirement of a federally delegated program? If yes, please provide the name of the federal program.

No

Provide a brief description and purpose for this permit:

There are several different types of temporary transfers. A brief description is provided for each type: 1) Temporary Transfers under ORS 540.523: Temporary transfers allow water right holders to change the place of use and, if necessary to convey the water to the new temporary place of use, point of diversion or appropriation of a water right for a limited time. ORS 540.523. When the transfer period expires, all uses of water for which

the temporary transfer was allowed revert automatically to the terms and conditions of the original water right. ORS 540.523(3). Temporary transfers in the place of use allow water right holders to use water appurtenant to one parcel on a different parcel. This type of transfer is typically used for crop rotation or other rotational uses of water. The parcel from which water is removed may not receive water from the transferred water right. ORS 540.523(7). Temporary transfers in the point of diversion or appropriation are approved only if necessary to convey water to the new temporary place of use. ORS 540.523(1). Supplemental water rights must be included in a temporary transfer application and may be approved for temporary transfer alongside the primary water right. ORS 540.523(8). Alternatively, OWRD may approve only the primary water right for temporary transfer, in which case the supplemental water right may not be exercised until the primary water right reverts to the original use. ORS 540.523(8). Non-use of a supplemental water right during a temporary transfer may count towards non-use that renders a water right subject to cancellation. ORS 540.523(8). The Department can revoke a temporary transfer if the change results in injury to other water rights. ORS 540.523(5); 2) Temporary Drought Transfers under ORS 536.750(1)(b) and OAR 690-019-0055: When the Governor declares a severe, continuing drought exists, water right holders in affected areas may apply for a temporary change in use, place of use, or point of diversion through a simplified process. ORS 536.750(1)(b); OAR 690-019-0055; and 3) Deschutes Basin Transfers for Municipal Use under ORS 540.585: A person may temporarily transfer the place of use and type of use for all or a portion of an irrigation water right to a city, a quasi-municipal corporation, a domestic water supply district, a water supplier, or a water authority for municipal use. If necessary to convey the water the new temporary place of use, the point of diversion may also be temporarily transferred. ORS 540.585(1).

What is the standard duration of this permit?

Temporary Transfers under ORS 540.523: Not to exceed five years. ORS 540.523(1). Temporary Drought Transfers under ORS 536.750(1)(b) and OAR 690-019-0055: May last up to one year or the length of the Governor's declared drought, whichever is shorter. OAR 690-019-0055(4). Deschutes Basin Transfers for Municipal Use under ORS 540.585: Not to exceed 25 years. ORS 540.585(1).

What information is needed for the application to be considered complete and what is the source of the info?

This application must meet a very detailed set of criteria in ORS 536.050, ORS 536.750, ORS 540.523, ORS 540.585, OAR 690-019, and OAR 690-380, as applicable, including the length of time for which the change is being requested. There are different types of temporary transfer applications; not all statutes and rules referenced are applicable to each type.

Please describe the process for how your agency handles incomplete applications for this permit:

Temporary Transfers under ORS 540.523: If an application is incomplete or the associated fees have not all been paid, OWRD will return the application, along with any fees paid, to the applicant with a written description of the deficiencies. OAR 690-380-8002(6). Temporary Drought Transfers under ORS 536.750(1)(b) and OAR 690-019-0055: There is no specific process provided in statute or rule. If the application is incomplete, the Department will notify the applicant of missing information, and a 30-day deadline will be established to provide missing information. If there is no response or the requested information is not received, the application will be denied. Deschutes Basin Transfers for Municipal Use under ORS 540.585: If an application is incomplete or the associated fees have not all been paid, OWRD will return the application, along with any fees paid, to the applicant with a written description of the deficiencies. OAR 690-380-8004(3).

If readily available, please provide the number of incomplete applications the agency receives annually:

Currently, the Department does not track the number of incomplete applications of this type that are received annually.

Is there a statutory or regulatory requirement governing the time within which the agency must process applications for the permit? If yes, please describe the timeframe.

Temporary Transfers under ORS 540.523: There are no specific statutes or rules governing the processing time for this type of application, however the Department strives to issue final orders on these applications within 120 days of the date received. Temporary Drought Transfers under ORS 536.750(1)(b) and OAR 690-019-0055: There are no specific statutes or rules governing the processing time for this type of application, however the Department strives to issue final orders on these applications within 30 days of the date received. Deschutes Basin Transfers for Municipal Use under ORS 540.585: There are no specific statutes or rules governing the processing time for this type of application, however the Department strives to issue final orders on these applications within 120 days of the date received.

What is the application fee for the permit?

1) Temporary Transfers under ORS 540.523: a base fee of \$1,425 for the first water right or permit, plus \$465 for each additional water right or permit included in the application, and \$345 for each second-foot beyond the first second-foot for non-irrigation uses, or \$4.10 per acre of irrigated land unless the application and required map are submitted in the department-approved digital format, in which case the fee will be \$1.10 per acre of irrigated land. 2) Temporary Drought Transfers under ORS 536.750(1)(b) and OAR 690-019-0055: \$100 to examine the application, plus \$100 for the first cubic-foot/second or fraction thereof, plus \$50 for each additional cubic-foot/second. 3) Deschutes Basin Transfers for Municipal Use under ORS 540.585: a base fee of \$1,425 for the first water right or permit, plus \$465 for each additional water right or permit included in the application, and \$345 for each second-foot beyond the first second-foot for non-irrigation uses, or \$4.10 per acre of irrigated land unless the application and required map are submitted in the department-approved digital format, in which case the fee will be \$1.10 per acre of irrigated land.

Is there a statutory, regulatory or other authority for the permit application fee?

ORS 536.050(1)(i) for Temporary Transfers under ORS 540.523 and Deschutes Basin Transfers for Municipal Use under ORS 540.585, and OAR 690-019-0100(2) for Temporary Drought Transfers under ORS 536.750(1)(b) and OAR 690-019-0055.

When was the application fee last changed? Please provide the date of the last change and how much the application fee increased or decreased.

Fees for Temporary Transfers under ORS 540.523 and Deschutes Basin Transfers for Municipal Use under ORS 540.585 were last updated July 24, 2025. Fees for Temporary Drought Transfers under ORS 536.750(1)(b) and OAR 690-019-0055 were last updated in 1990 (WRD 6-2001).

Has your agency evaluated or identified opportunities to streamline the decision making process such as, eliminating unnecessary steps or barriers, reducing the number of incomplete applications, or eliminating any obsolete or unnecessary approval processes?

Over the last two years, processes and policies related to water right transactions have changed significantly. In 2024, OWRD evaluated changes that could be made to improve efficiency in processing the various water right transactions. In addition to taking internal administrative actions, the Department worked with the Oregon legislature to pass two pieces of modernization legislation, House bills 3544 and 3342. Simultaneously, the Department began a rule update process to implement the changes made by House Bills 3544 and 3342, as well as additional improvements that did not require legislation. The Department undertook the rulemaking at the end of 2025, into 2026, amending 18 divisions related to water right transactions processing. The goal of the rulemaking process was to (1) implement recent legislation; (2) implement other policy and process improvements relating to water rights transactions to streamline and align processes; and (3) incorporate general cleanup of rule divisions. These process changes went into effect on either January 1, 2026, April 1, 2026, or October 1, 2026. Many of these changes aimed to standardize the process across transactions, clarify rules that were confusing or outdated, reduce unnecessary administrative touch points, and remove delays that allowed for applications to sit without any action being taken, either by the Department or the applicant. We also adopted a rule division that established standardized criteria for maps to reduce confusion and

increase efficiency by consolidating standard requirements in one section. Given the significant number of changes, a full summary of the changes made can be viewed online. (<https://www.oregon.gov/owrd/programs/WaterRights/Pages/Water-Right-Modernization.aspx>)

In addition to the process improvements mentioned above, the Department has been working with a contractor to conduct a Lean/Six-Sigma review of Transfer Program processes. As part of this effort, the team identified three focus areas with the potential to have the greatest impact on reducing processing timelines – caseworker consistency, improved templates, and peer review. Specific transfer process improvement actions, both completed and currently underway, are outlined below:

Action Items already implemented:

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Ongoing Streamlining Efforts:

- Improving query/report capabilities for improved data tracking
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- Refining and simplifying transfer documents to improve readability.
- Performing audits and developing standard protocol for updating transfer policy and guidance materials, desk manuals, standard language, practices, and procedures to ensure they are current and centrally located so they are easily accessible by staff.
- Refining protocols to promote consistent methods of handling, documenting, and storing any public comments received on a transfer application.
Exploring development of different tools and methods for improving the peer-reviewed process.
- Improving the deficient application letter template to reduce the time it takes for staff to return an incomplete application.

Does the agency have an application backlog for this permit?

No

Approximately how many applications for this permit are currently pending at the agency?

There are currently 10 temporary transfer applications pending at the agency (as of 9/22/2026).

Provide any other information you feel is relevant to understanding the permit requirement:

N/A

Limited License to Use Water

The statutory authority, regulatory authority or other authority for issuing the permit:

The controlling statutes for this permit are found in ORS 537.143 and 537.144, and the controlling regulations are in OAR 690-340-0030.

Is this permit a requirement of a federally delegated program? If yes, please provide the name of the federal program.

No

Provide a brief description and purpose for this permit:

A limited license allows a license holder to use or store surface water and groundwater or to use stored water for a short-term or a fixed duration within a single drainage basin. 537.143(1); OAR 690-340-0030(3). The limited license is intended to support projects like road construction and maintenance, general construction, and forest or rangeland management. ORS 537.143(1). The license holder generally must notify the local watermaster at least 15 days before using the water and maintain a record of water use. ORS 537.143(3); OAR 690-340-0030(4). Contracts with a government to use stored water are subject to special rules. 537.143(9). Water use under a limited license will have the lowest priority relative to other authorized uses from the same water source. ORS 537.143(2).

What is the standard duration of this permit?

The license will typically specify the duration of the limited license. OWRD will not issue a limited license for the same use for more than 5 consecutive years (ORS 537.143(8)); however, if the license is to use stored water for its authorized purpose and the use of water is authorized by a contract between the user and a government, the license may last up to 1 year, and the user may reapply for additional limited licenses. ORS 537.143(10). OWRD may revoke a limited license at any time if the licensed water use causes injury to any water right or a minimum perennial streamflow. ORS 537.143(2).

What information is needed for the application to be considered complete and what is the source of the info?

Applicants must provide information, including, but not limited to: applicant information, source of water, amount of water, intended use of water, proposed project description, project schedule, acceptable map, and relevant fees. In addition, the applicant must submit a completed water availability statement completed by the Watermaster and a land-use compatibility statement.

Please describe the process for how your agency handles incomplete applications for this permit:

If OWRD determines that the application is complete and that the permit will not expire within 120 days from the date of receipt, it will file the application and publish notice of the application in OWRD's weekly public

notice. OAR 690-380-7200(3).

If readily available, please provide the number of incomplete applications the agency receives annually:

The agency does not currently track the number of incomplete applications received annually, but staff work with applicants to minimize submission of incomplete applications.

Is there a statutory or regulatory requirement governing the time within which the agency must process applications for the permit? If yes, please describe the timeframe.

OWRD may approve a limited license request after 14 days of notice to the public in the weekly public notice. OAR 690-340-0030(2). Otherwise, there are no specific statutes or rules governing the processing time for this type of application.

What is the application fee for the permit?

OWRD charges a fee of \$280 for the first point of diversion, plus \$30 for each additional point of diversion.

Is there a statutory, regulatory or other authority for the permit application fee?

ORS 536.050(1)(L). OAR 690-340-0030(1)(a)(E).

When was the application fee last changed? Please provide the date of the last change and how much the application fee increased or decreased.

All of these fees were last changed in 2015 by WRD 6-2014, f. 11-25-14, cert. ef. 1-1-15.

Has your agency evaluated or identified opportunities to streamline the decision making process such as, eliminating unnecessary steps or barriers, reducing the number of incomplete applications, or eliminating any obsolete or unnecessary approval processes?

Over the last two years, processes and policies related to water right transactions have changed significantly. In 2024, OWRD evaluated changes that could be made to improve efficiency in processing the various water right transactions. In addition to taking internal administrative actions, the Department worked with the Oregon legislature to pass two pieces of modernization legislation, House bills 3544 and 3342. Simultaneously, the Department began a rule update process to implement the changes made by House Bills 3544 and 3342, as well as additional improvements that did not require legislation. The Department undertook the rulemaking at the end of 2025, into 2026, amending 18 divisions related to water right transactions processing. The goal of the rulemaking process was to (1) implement recent legislation; (2) implement other policy and process improvements relating to water rights transactions to streamline and align processes; and (3) incorporate general cleanup of rule divisions. These process changes went into effect on either January 1, 2026, April 1, 2026, or October 1, 2026. Many of these changes aimed to standardize the process across transactions, clarify rules that were confusing or outdated, reduce unnecessary administrative touch points, and remove delays that allowed for applications to sit without any action being taken, either by the Department or the applicant. We also adopted a rule division that established standardized criteria for maps to reduce confusion and increase efficiency by consolidating standard requirements in one section. Given the significant number of changes, a full summary of the changes made can be viewed online. (<https://www.oregon.gov/owrd/programs/WaterRights/Pages/Water-Right-Modernization.aspx>)

Does the agency have an application backlog for this permit?

Yes

Approximately how many applications for this permit are currently pending at the agency?

Provide any other information you feel is relevant to understanding the permit requirement:

N/A

Aquifer Storage and Recovery

The statutory authority, regulatory authority or other authority for issuing the permit:

The controlling statutes for this permit are found in ORS 537.531 to 537.534, and the controlling regulations are in OAR 690-350-0010 to 6900-350-0030.

Is this permit a requirement of a federally delegated program? If yes, please provide the name of the federal program.

No

Provide a brief description and purpose for this permit:

The Aquifer Storage and Recovery Program (ASR) provides a process for water users to store water from a separate source that meets drinking water standards in a suitable aquifer for later recovery. Initially, an ASR limited license is issued for limited duration injection and recovery testing. Project operators apply for an ASR permit for permanent authorization of an ASR project after testing through the ASR limited license program. Extensive water quality and water quantity monitoring and reporting are part of all projects.

What is the standard duration of this permit?

The Director may issue a limited license for ASR purposes for a term of not more than five years. The limited license may be renewed if the applicant demonstrates to the Director's satisfaction that further testing is necessary and the applicant complied with the terms of the limited license. The Director may revoke or modify an ASR limited license. OAR 690-350-0020(5)(b)(c)(A)(B).

On-going authorization to store and recover water injected into an aquifer requires an ASR permit. Only after completion of an ASR testing program under a limited license may an applicant apply for a permanent ASR permit. The Director may revoke or modify the ASR permit. OAR 690-350-0030(1)(6)(B).

What information is needed for the application to be considered complete and what is the source of the info?

Application completeness requirements are included in rule at OAR 690-350-0020 for ASR testing under Limited Licenses and 690-350-0030 for ASR under ASR Permit.

Requirements include submitting information that includes, but not limited to: applicant's name and contact information, project details, water availability statement, water right holder agreement, land use information, a complete map, supplemental reports, and other information. Additionally, permit applicants must include information about the limited license used for testing, and fees.

Please describe the process for how your agency handles incomplete applications for this permit:

Applications are reviewed for completeness per OAR 690-350-0020. Neither statute nor rule specify a method for processing incomplete applications.

If readily available, please provide the number of incomplete applications the agency receives annually:

Almost all initial application are considered as incomplete because we review the application, provide comments (most of the time) and request responses to those comments before the application can be considered complete.

Is there a statutory or regulatory requirement governing the time within which the agency must process applications for the permit? If yes, please describe the timeframe.

For ASR testing under the limited license, within 45 days after application submittal, the Department consults with DEQ and HD about the completeness of the application. Within 7 days after determining that an application is complete, the Department provides public notice starting a 30-day public comment period. Issuance of the license or denial of the application shall occur within 60 days of the closing of the comment period. OAR 690-350-0020(4)(a)(b)(d)(A)(B). For ASR under ASR permit, within 45 days after application submittal, the Department consults with DEQ and HD about the completeness of the application. Within 7 days after determining that an application is complete, the Department provides public notice starting a 60-day public comment period. After the 60-day public comment period, the Director shall issue a proposed final order on the application. Notice of the proposed final order is published in the Department's weekly public notice, starting a 45-day protest period. After the close of the protest period the Director may issue a permit. OAR 690-350-0030(5)(a)-(h).

What is the application fee for the permit?

The fees for ASR limited license are established by rule by the commission pursuant to ORS 536.050 (1)(L). OWRD charges a fee of \$1,150 for a limited license application requesting the use of water for ASR testing purposes, \$575 for ASR renewal, and \$575 for ASR modification. OAR 690-340-0030(1)(A)-(C). All of these fees were last changed in 2015 by WRD 6-2014, f. 11-25-14, cert. ef. 1-1-15.

The base fee for an application to store water under ASR is \$1,635. Additional fees are required that are determined based on the amount of water stored and the number of storage locations. ORS 536.050(1)(a)(B). A permit recording fee of \$915 is also required if a permit is issued. ORS 536.050(1)(b)(A). The fees were updated on July 24, 2025.

Is there a statutory, regulatory or other authority for the permit application fee?

Limited License: ORS 536.050 (1)(L). OAR 690-340-0030(1)(A)-(C).

Permit: ORS 536.050(1)(a)(B). 536.050(1)(b)(A).

When was the application fee last changed? Please provide the date of the last change and how much the application fee increased or decreased.

Limited license fees were last changed in 2015 by WRD 6-2014, f. 11-25-14, cert. ef. 1-1-15. Permit fees were updated on July 24, 2025.

Has your agency evaluated or identified opportunities to streamline the decision making process such as, eliminating unnecessary steps or barriers, reducing the number of incomplete applications, or eliminating any obsolete or unnecessary approval processes?

Over the last two years, processes and policies related to water right transactions have changed significantly. In 2024, OWRD evaluated changes that could be made to improve efficiency in processing the various water right transactions. In addition to taking internal administrative actions, the Department worked with the Oregon legislature to pass two pieces of modernization legislation, House bills 3544 and 3342. Simultaneously, the Department began a rule update process to implement the changes made by House Bills 3544 and 3342, as well as additional improvements that did not require legislation. The Department undertook the rulemaking at the end of 2025, into 2026, amending 18 divisions related to water right transactions processing. The goal of the rulemaking process was to (1) implement recent legislation; (2) implement other policy and process improvements relating to water rights transactions to streamline and align processes; and (3) incorporate general cleanup of rule divisions. These process changes went into effect on either January 1, 2026, April 1, 2026, or October 1, 2026. Many of these changes aimed to standardize the process across transactions, clarify rules that were confusing or outdated, reduce unnecessary administrative touch points, and remove delays that allowed for applications to sit without any action being taken, either by the Department or the applicant. We also adopted a rule division that established standardized criteria for maps to reduce confusion and increase efficiency by consolidating standard requirements in one section. Given the significant number of changes, a full summary of the changes made can be viewed

online. (<https://www.oregon.gov/owrd/programs/WaterRights/Pages/Water-Right-Modernization.aspx>)

Does the agency have an application backlog for this permit?

The Agency does not have a backlog for ASR. Either we are waiting for responses to our review comments, or applications are in process.

Approximately how many applications for this permit are currently pending at the agency?

6

Provide any other information you feel is relevant to understanding the permit requirement:

N/A

Artificial Groundwater Recharge

The statutory authority, regulatory authority or other authority for issuing the permit:

The controlling statutes for this permit are found in ORS 537.135, and the controlling regulations are in OAR 690-350-0110 to 6900-350-0130. Applications for a limited license for Artificial Groundwater Recharge testing, or a limited license for Artificial Groundwater Recovery, are processed as a limited license application under OAR 690-340-0030.

Is this permit a requirement of a federally delegated program? If yes, please provide the name of the federal program.

No

Provide a brief description and purpose for this permit:

The Artificial Groundwater Recharge Program (AR) provides a process for water users to appropriate water when it is available and store it underground by injection through wells or infiltration at land surface. A secondary authorization allows a project to recover the stored water through wells and put it to a beneficial use. Initially, a short-term limited license for AR testing may be issued. It may be paired with a limited license for AR recovery testing. Extensive water quality and water quantity monitoring and reporting are part of all projects. Once a project has demonstrated its effects on groundwater quantity and quality, AR permits and certificates are available for permanent authorization of a project.

What is the standard duration of this permit?

The Director may issue a limited license for Artificial Groundwater Recharge purposes for a term of not more than five years ORS 537.143(8). A secondary limited license for Artificial Groundwater Recovery is typically issued for a term of one year. Applicants may seek additional limited licenses for recharge or recovery purposes.

AR permits can be completed as AR certificates, with no expiration date.

What information is needed for the application to be considered complete and what is the source of the info?

The applicant must provide information, including, but not limited to: applicant name and contact information, water source, amount of water requested, acceptable map, proposed use, contact information for affected land owners, property ownership information, proposed project schedule, property legal descriptions, land-use compatibility form, information about the point of diversion, and fees.

Additional required supplemental information for recharge applications must be submitted, including, but not

limited to: minimum perennial stream flow or instream water rights, water quality permit, purpose of recharge, annual storage, financial capability, hydrologic feasibility report, project description report, and additional information as required.

Additional required supplemental information for recovery applications must be submitted, including, but not limited to: source identification, written consent from recharge authorization holder, source proof, and recharge understanding.

Please describe the process for how your agency handles incomplete applications for this permit:

Applications are reviewed for completeness per OAR 690-340-0030, OAR 690-350-0120, and OAR 690-350-0130. Neither statute nor rule specify a method for processing incomplete applications.

If readily available, please provide the number of incomplete applications the agency receives annually:

Almost all initial application are considered as incomplete because we review the application, provide comments (most of the time) and request responses to those comments before the application can be considered complete.

Is there a statutory or regulatory requirement governing the time within which the agency must process applications for the permit? If yes, please describe the timeframe.

OWRD may approve a limited license for Artificial Groundwater Recharge or Artificial Groundwater Recovery after 14 days of notice to the public in the weekly public notice. OAR 690-340-0030(2). Otherwise, there are no specific statutes or rules governing the processing time for this type of application.

What is the application fee for the permit?

The fees for Artificial Groundwater Recharge limited licenses are established by rule by the commission pursuant to ORS 536.050 (1)(L). OWRD charges a fee of \$1150 for a limited license application requesting the use of water for Artificial Groundwater Recharge testing purposes, and \$280 for a limited license application requesting the use of water for Artificial Groundwater Recovery. OAR 690-340-0030(1)(D) and (E). All of these fees were last changed in 2015 by WRD 6-2014, f. 11-25-14, cert. ef. 1-1-15.

The base fee for an application to appropriate surface water for Artificial Groundwater Recharge is \$1,635. Additional fees are required that are determined based on the proposed rate, number of uses, and number of points of diversion. The base fee for an application to beneficially use the water store artificially under an Artificial Groundwater Recharge permit is \$1,635. Additional fees are required that are determined based on the volume of stored water appropriated. ORS 536.050(1)(a)(A). A permit recording fee of \$915 is also required if a permit is issued. ORS 536.050(1)(b)(A). If the permit is issued as a final order containing conditions for mitigating impacts to the proposed water source, a fee of \$1,185. ORS 536.050(1)(b)(B). The fees were updated on July 24, 2025.

Is there a statutory, regulatory or other authority for the permit application fee?

Limited License: ORS 536.050 (1)(L). OAR 690-340-0030(1)(D)-(E).
Permit: ORS 536.050(1)(a)(A). 536.050(1)(b)(A).

When was the application fee last changed? Please provide the date of the last change and how much the application fee increased or decreased.

Limited license fees were last changed in 2015 by WRD 6-2014, f. 11-25-14, cert. ef. 1-1-15. Permit fees were updated on July 24, 2025.

Has your agency evaluated or identified opportunities to streamline the decision making

process such as, eliminating unnecessary steps or barriers, reducing the number of incomplete applications, or eliminating any obsolete or unnecessary approval processes?

Over the last two years, processes and policies related to water right transactions have changed significantly. In 2024, OWRD evaluated changes that could be made to improve efficiency in processing the various water right transactions. In addition to taking internal administrative actions, the Department worked with the Oregon legislature to pass two pieces of modernization legislation, House bills 3544 and 3342. Simultaneously, the Department began a rule update process to implement the changes made by House Bills 3544 and 3342, as well as additional improvements that did not require legislation. The Department undertook the rulemaking at the end of 2025, into 2026, amending 18 divisions related to water right transactions processing. The goal of the rulemaking process was to (1) implement recent legislation; (2) implement other policy and process improvements relating to water rights transactions to streamline and align processes; and (3) incorporate general cleanup of rule divisions. These process changes went into effect on either January 1, 2026, April 1, 2026, or October 1, 2026. Many of these changes aimed to standardize the process across transactions, clarify rules that were confusing or outdated, reduce unnecessary administrative touch points, and remove delays that allowed for applications to sit without any action being taken, either by the Department or the applicant. We also adopted a rule division that established standardized criteria for maps to reduce confusion and increase efficiency by consolidating standard requirements in one section. Given the significant number of changes, a full summary of the changes made can be viewed online. (<https://www.oregon.gov/owrd/programs/WaterRights/Pages/Water-Right-Modernization.aspx>)

Does the agency have an application backlog for this permit?

The Agency does not have a backlog for AR. Either we are waiting for responses to our review comments, or applications are in process.

Approximately how many applications for this permit are currently pending at the agency?

5

Provide any other information you feel is relevant to understanding the permit requirement:

N/A

Permit to Store Water (Alternate)

The statutory authority, regulatory authority or other authority for issuing the permit:

The statutory authority for issuing the permit is ORS 537.409.

Is this permit a requirement of a federally delegated program? If yes, please provide the name of the federal program.

No

Provide a brief description and purpose for this permit:

A permit is required before beginning construction to store water in a pond or reservoir. ORS 537.130. An application for a permit to store water using a dam or impoundment structure less than 10 feet in height, or storing less than 9.2 acre-feet of water, may be acquired using an expedited review process. ORS 537.409. OWRD reviews the permit application to assess whether the proposed storage of water would injure existing water rights, pose a significant detrimental impact to existing fishery resources as determined on the basis of information submitted by the Oregon Department of Fish and Wildlife (ODFW), violate scenic waterway limitations, or is prohibited by legislative withdrawals of certain waters from appropriation under ORS chapter 538. ORS 537.409(1). Within a year of completing construction, the permit holder must submit a simplified claim of beneficial use to acquire a permanent water right certificate. ORS 537.409(10); OAR 690-014-0100(11). A secondary permit is required to use the water stored under this permit. ORS 537.409(11). If a

secondary permit to use stored water exists, the permit holder must submit a survey prepared by a certified water right examiner that assesses both the storage and use of the water. ORS 537.409(11).

What is the standard duration of this permit?

A storage permit must be developed within the time period described in the permit. Once the required information is provided to demonstrate that a permit has been developed and perfected, the Department issues a water right certificate. Water rights do not expire but may be forfeited if unused.

What information is needed for the application to be considered complete and what is the source of the info?

Applicant must provide information, including, but not limited to: applicant name and contact information, landowner name, water source, reservoir location, dam information, property ownership information, Watermaster review sheet, ODFW review sheet, land-use compatibility form, property legal description, acceptable map, and fees.

Please describe the process for how your agency handles incomplete applications for this permit:

ORS 537.409 does not dictate a process that OWRD will use to process incomplete applications. However, OWRD will return applications and supplemental materials if it does not include all information required to assess the application under the criteria described in ORS 537.409(1) and (2).

If readily available, please provide the number of incomplete applications the agency receives annually:

Although the Department does not track the number of applications by application type, across all application types for permits to store or appropriate surface water or groundwater, ~11% of permits are incomplete in a given year.

Is there a statutory or regulatory requirement governing the time within which the agency must process applications for the permit? If yes, please describe the timeframe.

Under ORS 537.409(7), OWRD must issue a final order granting or denying the permit, or granting the permit with conditions, within 180 days of receiving the application. The statute additionally imposes other interim processing timelines. Under ORS 537.409(4), OWRD must provide public notice of the application in the weekly public notice of the department within 60 days of receiving the application. Within 60 days from that notice, any person may submit detailed information to request the department deny the application on the basis that the proposed reservoir would injure an existing water right or pose a significant detrimental impact to existing fishery resources. ORS 537.409(5). Following the notice period, OWRD must conduct an expedited public interest review of the application, limited to issues pertaining to water availability, potential detrimental impact to existing fishery resources, and potential injury to existing water rights. ORS 537.409(6).

What is the application fee for the permit?

To examine an application, a base fee of \$720 and an additional \$62 for each acre-foot or fraction thereof. ORS 536.050(1)(q)(A) and (B). To record the permit, a fee of \$915. ORS 536.050(1)(b)(A). If the permit is issued as a final order containing conditions for mitigating impacts to the proposed water source, a fee of \$1,185. ORS 536.050(1)(b)(B). The fees were updated on July 24, 2025.

Is there a statutory, regulatory or other authority for the permit application fee?

ORS 536.050(1)(q)(A) and (B). ORS 536.050(1)(b)(A). ORS 536.050(1)(b)(B).

When was the application fee last changed? Please provide the date of the last change and how much the application fee increased or decreased.

The fees were updated on July 24, 2025.

Has your agency evaluated or identified opportunities to streamline the decision making process such as, eliminating unnecessary steps or barriers, reducing the number of incomplete applications, or eliminating any obsolete or unnecessary approval processes?

Over the last two years, processes and policies related to water right transactions have changed significantly. In 2024, OWRD evaluated changes that could be made to improve efficiency in processing the various water right transactions. In addition to taking internal administrative actions, the Department worked with the Oregon legislature to pass two pieces of modernization legislation, House bills 3544 and 3342. Simultaneously, the Department began a rule update process to implement the changes made by House Bills 3544 and 3342, as well as additional improvements that did not require legislation. The Department undertook the rulemaking at the end of 2025, into 2026, amending 18 divisions related to water right transactions processing. The goal of the rulemaking process was to (1) implement recent legislation; (2) implement other policy and process improvements relating to water rights transactions to streamline and align processes; and (3) incorporate general cleanup of rule divisions. These process changes went into effect on either January 1, 2026, April 1, 2026, or October 1, 2026. Many of these changes aimed to standardize the process across transactions, clarify rules that were confusing or outdated, reduce unnecessary administrative touch points, and remove delays that allowed for applications to sit without any action being taken, either by the Department or the applicant. We also adopted a rule division that established standardized criteria for maps to reduce confusion and increase efficiency by consolidating standard requirements in one section. Given the significant number of changes, a full summary of the changes made can be viewed online. (<https://www.oregon.gov/owrd/programs/WaterRights/Pages/Water-Right-Modernization.aspx>)

Does the agency have an application backlog for this permit?

Yes

Approximately how many applications for this permit are currently pending at the agency?

37

Provide any other information you feel is relevant to understanding the permit requirement:

N/A

Permit to Store Water (Standard Review)

The statutory authority, regulatory authority or other authority for issuing the permit:

The statutory authority for issuing the permit includes ORS 537.400, ORS 537.130, ORS 537.140, and ORS 537.150 to ORS 537.240. The regulatory authority can be found in OAR chapter 690, division 310.

Is this permit a requirement of a federally delegated program? If yes, please provide the name of the federal program.

No

Provide a brief description and purpose for this permit:

A permit is required before beginning construction to store water in a pond or reservoir in Oregon. ORS 537.130. A permit may be acquired by submitting a completed application, map, and fee to the Department. The application should describe any intended uses of the water. Certain uses may require additional information. ORS 537.140. Application review will involve a public comment period and public interest review.

Application requirements and the review process are described in detail in OAR Chapter 690, Division 310. An additional permit to appropriate water is required if it is necessary to maintain the water level or water quality of the pond or reservoir. ORS 537.400(2). Note that to use water stored under this permit for out-of-reservoir uses, a secondary permit is required. ORS 537.400. A secondary permit may be acquired through a simplified application process. ORS 537.147; OAR 690-340-0060.

What is the standard duration of this permit?

A water right permit must be developed within the time period described in the permit. Once the required information is provided to demonstrate that a permit has been developed and perfected, the Department issues a water right certificate. Water rights do not expire but may be forfeited if unused.

What information is needed for the application to be considered complete and what is the source of the info?

The applicant must provide information, including, but not limited to: applicant name and contact information, water source, amount of water requested, acceptable map, proposed use, contact information for affected land owners, property ownership information, proposed dates, property legal descriptions, land-use compatibility form, information about the point of diversion, preliminary plans and specifications for the dam and impoundment area, and fees. Additional requirements may apply if the applicant is for municipal or quasi-municipal water use as well as for other specified uses.

Please describe the process for how your agency handles incomplete applications for this permit:

Within 15 days of receiving an application, OWRD will determine whether the application contains the information required under OAR 690-310-0040 and is complete, including full payment of associated fees. If the application is incomplete or defective, OWRD will return all fees and the application. ORS 537.150(1); OAR 690-310-0070(1).

If readily available, please provide the number of incomplete applications the agency receives annually:

Although the Department does not track the number of applications by application type, across all application types for permits to store or appropriate surface water or groundwater, ~11% of permits are incomplete in a given year.

Is there a statutory or regulatory requirement governing the time within which the agency must process applications for the permit? If yes, please describe the timeframe.

The governing statutes and rules are ORS 537.150, 537.153, and 537.175, and OAR 690-310-0070, 690-310-0080, 690-310-0090, 690-310-0100, and 690-310-0270. Those provisions provide that once OWRD determines that an application is complete, they must then determine whether the proposed use is prohibited. If it is not prohibited, OWRD must perform an initial review. OWRD must complete its initial review and inform the applicant of its preliminary determination within 30 days of determining that the application is complete. The applicant then has 90 days to decide whether to proceed with the application. If the applicant decides to proceed and pays any remaining fees, OWRD must give notice of the initial review in the weekly public notice and provide the public 30 days to comment on the application. Within 60 days after proceeding with the application, OWRD must issue a proposed final order to approve or deny the application. OWRD may also request additional information from the applicant, who shall have not less than 10 days to respond. Failure to respond may result in rejection of the application. The timing of OWRD's request must allow a proposed final order to be issued no later than 60 days after proceeding with the application. OWRD must allow an appropriate period for the applicant or other interested party to submit a protest. The Department is required to issue a final order within 180 days after proceeding with the application.

What is the application fee for the permit?

The base fee for an application to store water is \$1,635. Additional fees are required that are determined based on the amount of water stored and the number of storage locations. ORS 536.050(1)(a)(B). A permit recording fee of \$915 is also required if a permit is issued. ORS 536.050(1)(b)(A). If the permit is issued as a final order containing conditions for mitigating impacts to the proposed water source, a fee of \$1,185. ORS 536.050(1)(b)(B). The fees were updated on July 24, 2025.

Is there a statutory, regulatory or other authority for the permit application fee?

ORS 536.050(1)(a)(B). ORS 536.050(1)(b)(A). ORS 536.050(1)(b)(B).

When was the application fee last changed? Please provide the date of the last change and how much the application fee increased or decreased.

The fees were updated on July 24, 2025.

Has your agency evaluated or identified opportunities to streamline the decision making process such as, eliminating unnecessary steps or barriers, reducing the number of incomplete applications, or eliminating any obsolete or unnecessary approval processes?

Over the last two years, processes and policies related to water right transactions have changed significantly. In 2024, OWRD evaluated changes that could be made to improve efficiency in processing the various water right transactions. In addition to taking internal administrative actions, the Department worked with the Oregon legislature to pass two pieces of modernization legislation, House bills 3544 and 3342. Simultaneously, the Department began a rule update process to implement the changes made by House Bills 3544 and 3342, as well as additional improvements that did not require legislation. The Department undertook the rulemaking at the end of 2025, into 2026, amending 18 divisions related to water right transactions processing. The goal of the rulemaking process was to (1) implement recent legislation; (2) implement other policy and process improvements relating to water rights transactions to streamline and align processes; and (3) incorporate general cleanup of rule divisions. These process changes went into effect on either January 1, 2026, April 1, 2026, or October 1, 2026. Many of these changes aimed to standardize the process across transactions, clarify rules that were confusing or outdated, reduce unnecessary administrative touch points, and remove delays that allowed for applications to sit without any action being taken, either by the Department or the applicant. We also adopted a rule division that established standardized criteria for maps to reduce confusion and increase efficiency by consolidating standard requirements in one section. Given the significant number of changes, a full summary of the changes made can be viewed online. (<https://www.oregon.gov/owrd/programs/WaterRights/Pages/Water-Right-Modernization.aspx>)

Does the agency have an application backlog for this permit?

Yes

Approximately how many applications for this permit are currently pending at the agency?

56

Provide any other information you feel is relevant to understanding the permit requirement:

N/A

Surface Water Appropriation Permit

The statutory authority, regulatory authority or other authority for issuing the permit:

The statutory authority for issuing the permit includes ORS 537.130, ORS 537.140, and ORS 537.150 to ORS 537.240. The regulatory authority can be found in OAR chapter 690, division 310.

Is this permit a requirement of a federally delegated program? If yes, please provide the name of the federal program.

No

Provide a brief description and purpose for this permit:

Any person or public agency intending to acquire a wholly new right to appropriate surface water or to enlarge upon any existing right to appropriate surface water must obtain a permit from OWRD before diverting or using the surface water, except for specified exempt uses.

What is the standard duration of this permit?

A water right permit must be developed within the time period described in the permit. Once the required information is provided to demonstrate that a permit has been developed and perfected, the Department issues a water right certificate. Water rights do not expire but may be forfeited if unused.

What information is needed for the application to be considered complete and what is the source of the info?

The applicant must provide information, including, but not limited to: applicant name and contact information, water source, amount of water requested, acceptable map, proposed use, contact information for affected land owners, property ownership information, proposed project schedule, property legal descriptions, land-use compatibility form, Sensitive, Threatened or Endangered Fish Species Public Interest Information, information about the point of diversion, notice to a reservoir operator if the application is to appropriate stored water if applicable, and fees. Additional requirements may apply if the applicant is for municipal or quasi-municipal water use as well as for other specified uses.

Please describe the process for how your agency handles incomplete applications for this permit:

Within 15 days of receiving an application, OWRD will determine whether the application contains the information required under OAR 690-310-0040 and is complete, including full payment of associated fees. If the application is incomplete or defective, OWRD will return all fees and the application. ORS 537.150(1); OAR 690-310-0070(1).

If readily available, please provide the number of incomplete applications the agency receives annually:

Although the Department does not track the number of applications by application type, across all application types for permits to store or appropriate surface water or groundwater, ~11% of permits are incomplete in a given year.

Is there a statutory or regulatory requirement governing the time within which the agency must process applications for the permit? If yes, please describe the timeframe.

The governing statutes and rules are ORS 537.150, 537.153, and 537.175, and OAR 690-310-0070, 690-310-0080, 690-310-0090, 690-310-0100, and 690-310-0270. Those provisions provide that once OWRD determines that an application is complete, they must then determine whether the proposed use is prohibited. If it is not prohibited, OWRD must perform an initial review. OWRD must complete its initial review and inform the applicant of its preliminary determination within 30 days of determining that the application is complete. The applicant then has 90 days to decide whether to proceed with the application. If the applicant decides to proceed and pays any remaining fees, OWRD must give notice of the initial review in the weekly public notice and provide the public 30 days to comment on the application. Within 60 days after proceeding with the application, OWRD must issue a proposed final order to approve or deny the application. OWRD may also request additional information from the applicant, who shall have not less than 10 days to respond. Failure to respond may result in rejection of the application. The timing of OWRD's request must allow a proposed final

order to be issued no later than 60 days after proceeding with the application. OWRD must allow an appropriate period for the applicant or other interested party to submit a protest. The Department is required to issue a final order within 180 days after proceeding with the application.

What is the application fee for the permit?

The base fee for an application to appropriate water is \$1,635. Additional fees are required that are determined based on the proposed rate, number of uses, number of points of diversion, and amount of stored water to be appropriated (if applicable). ORS 536.050(1)(a)(A). A permit recording fee of \$915 is also required if a permit is issued. ORS 536.050(1)(b)(A). If the permit is issued as a final order containing conditions for mitigating impacts to the proposed water source, a fee of \$1,185. ORS 536.050(1)(b)(B). The fees were updated on July 24, 2025.

Is there a statutory, regulatory or other authority for the permit application fee?

ORS 536.050(1)(a)(A). ORS 536.050(1)(b)(A). ORS 536.050(1)(b)(B).

When was the application fee last changed? Please provide the date of the last change and how much the application fee increased or decreased.

The fees were updated on July 24, 2025.

Has your agency evaluated or identified opportunities to streamline the decision making process such as, eliminating unnecessary steps or barriers, reducing the number of incomplete applications, or eliminating any obsolete or unnecessary approval processes?

Over the last two years, processes and policies related to water right transactions have changed significantly. In 2024, OWRD evaluated changes that could be made to improve efficiency in processing the various water right transactions. In addition to taking internal administrative actions, the Department worked with the Oregon legislature to pass two pieces of modernization legislation, House bills 3544 and 3342. Simultaneously, the Department began a rule update process to implement the changes made by House Bills 3544 and 3342, as well as additional improvements that did not require legislation. The Department undertook the rulemaking at the end of 2025, into 2026, amending 18 divisions related to water right transactions processing. The goal of the rulemaking process was to (1) implement recent legislation; (2) implement other policy and process improvements relating to water rights transactions to streamline and align processes; and (3) incorporate general cleanup of rule divisions. These process changes went into effect on either January 1, 2026, April 1, 2026, or October 1, 2026. Many of these changes aimed to standardize the process across transactions, clarify rules that were confusing or outdated, reduce unnecessary administrative touch points, and remove delays that allowed for applications to sit without any action being taken, either by the Department or the applicant. We also adopted a rule division that established standardized criteria for maps to reduce confusion and increase efficiency by consolidating standard requirements in one section. Given the significant number of changes, a full summary of the changes made can be viewed online. (<https://www.oregon.gov/owrd/programs/WaterRights/Pages/Water-Right-Modernization.aspx>)

Does the agency have an application backlog for this permit?

Yes

Approximately how many applications for this permit are currently pending at the agency?

82

Provide any other information you feel is relevant to understanding the permit requirement:

N/A

Ground Water Appropriation Permit

The statutory authority, regulatory authority or other authority for issuing the permit:

The controlling statutes for this permit are found in ORS 537.515 to 537.746, and the controlling regulations are in OAR chapter 690, division 310.

Is this permit a requirement of a federally delegated program? If yes, please provide the name of the federal program.

No

Provide a brief description and purpose for this permit:

Any person or public agency intending to acquire a wholly new right to appropriate ground water or to enlarge upon any existing right to appropriate ground water must obtain a permit from OWRD before withdrawing or using the ground water, except for specified exempt uses.

What is the standard duration of this permit?

A water right permit must be developed within the time period described in the permit. Once the required information is provided to demonstrate that a permit has been developed and perfected, the Department issues a water right certificate. Water rights do not expire but may be forfeited if unused.

What information is needed for the application to be considered complete and what is the source of the info?

The applicant must provide information, including, but not limited to: applicant name and contact information, water source, amount of water requested, acceptable map, proposed use, contact information for affected land owners, property ownership information, proposed project schedule, property legal descriptions, land-use compatibility form, Sensitive, Threatened or Endangered Fish Species Public Interest Information, information about the existing or proposed point of appropriation, and fees. Additional requirements may apply if the applicant is for municipal or quasi-municipal water use as well as for other specified uses.

Please describe the process for how your agency handles incomplete applications for this permit:

Upon receipt of an application, OWRD has 15 days to determine whether an application is complete. Incomplete applications are returned to the applicant, along with fees paid by the applicant. ORS 537.620(2)(b); OAR 690-310-0070.

If readily available, please provide the number of incomplete applications the agency receives annually:

Although the Department does not track the number of applications by application type, across all application types for permits to store or appropriate surface water or groundwater, ~11% of permits are incomplete in a given year.

Is there a statutory or regulatory requirement governing the time within which the agency must process applications for the permit? If yes, please describe the timeframe.

The governing statutes and rules are ORS 537.620, 537.621, 537.622, 537.625, and 537.627, and OAR 690-310-0070, 690-310-0080, 690-310-0090, 690-310-0100, and 690-310-0270. Those provisions provide that once OWRD determines that an application is complete, they must then determine whether the proposed use is prohibited. If it is not prohibited, OWRD must perform an initial review. OWRD must complete its initial review and inform the applicant of its preliminary determination within 30 days of determining that the application is complete. The applicant then has 90 days to decide whether to proceed with the application. If the applicant

decides to proceed and pays any remaining fees, OWRD must give notice of the initial review in the weekly public notice and provide the public 30 days to comment on the application. Within 60 days after proceeding with the application, OWRD must issue a proposed final order to approve or deny the application. OWRD may also request additional information from the applicant, who shall have not less than 10 days to respond. Failure to respond may result in rejection of the application. The timing of OWRD's request must allow a proposed final order to be issued no later than 60 days after proceeding with the application. OWRD must allow an appropriate period for the applicant or other interested party to submit a protest. The Department is required to issue a final order within 180 days after proceeding with the application.

What is the application fee for the permit?

The base fee for an application to appropriate water is \$1,635; an additional fee of \$720 is required to appropriate ground water. Additional fees are required that are determined based on the proposed rate, number of uses, and number of points of appropriation. ORS 536.050(1)(a)(A). A permit recording fee of \$915 is also required if a permit is issued. ORS 536.050(1)(b)(A). If the permit is issued as a final order containing conditions for mitigating impacts to the proposed water source, a fee of \$1,185 is required. ORS 536.050(1)(b)(B). The fees were updated on July 24, 2025.

Is there a statutory, regulatory or other authority for the permit application fee?

ORS 536.050(1)(a)(A). ORS 536.050(1)(b)(A). ORS 536.050(1)(b)(B).

When was the application fee last changed? Please provide the date of the last change and how much the application fee increased or decreased.

The fees were updated on July 24, 2025.

Has your agency evaluated or identified opportunities to streamline the decision making process such as, eliminating unnecessary steps or barriers, reducing the number of incomplete applications, or eliminating any obsolete or unnecessary approval processes?

Over the last two years, processes and policies related to water right transactions have changed significantly. In 2024, OWRD evaluated changes that could be made to improve efficiency in processing the various water right transactions. In addition to taking internal administrative actions, the Department worked with the Oregon legislature to pass two pieces of modernization legislation, House bills 3544 and 3342. Simultaneously, the Department began a rule update process to implement the changes made by House Bills 3544 and 3342, as well as additional improvements that did not require legislation. The Department undertook the rulemaking at the end of 2025, into 2026, amending 18 divisions related to water right transactions processing. The goal of the rulemaking process was to (1) implement recent legislation; (2) implement other policy and process improvements relating to water rights transactions to streamline and align processes; and (3) incorporate general cleanup of rule divisions. These process changes went into effect on either January 1, 2026, April 1, 2026, or October 1, 2026. Many of these changes aimed to standardize the process across transactions, clarify rules that were confusing or outdated, reduce unnecessary administrative touch points, and remove delays that allowed for applications to sit without any action being taken, either by the Department or the applicant. We also adopted a rule division that established standardized criteria for maps to reduce confusion and increase efficiency by consolidating standard requirements in one section. Given the significant number of changes, a full summary of the changes made can be viewed online. (<https://www.oregon.gov/owrd/programs/WaterRights/Pages/Water-Right-Modernization.aspx>)

Does the agency have an application backlog for this permit?

Yes

Approximately how many applications for this permit are currently pending at the agency?

Provide any other information you feel is relevant to understanding the permit requirement:

N/A

Expedited Secondary Use

The statutory authority, regulatory authority or other authority for issuing the permit:

The statutory authority for issuing the permit is ORS 537.147. The regulatory authority can be found in OAR chapter 690, division 340.

Is this permit a requirement of a federally delegated program? If yes, please provide the name of the federal program.

No

Provide a brief description and purpose for this permit:

Any person or public agency intending to acquire a water right to appropriate exclusively stored water must obtain a permit from OWRD before using the stored water.

What is the standard duration of this permit?

A water right permit must be developed within the time period described in the permit. Once the required information is provided to demonstrate that a permit has been developed and perfected, the Department issues a water right certificate. Water rights do not expire but may be forfeited if unused.

What information is needed for the application to be considered complete and what is the source of the info?

The applicant must provide information, including, but not limited to: applicant name and contact information, water source, amount of water requested, acceptable map, proposed use, contact information for affected land owners, property ownership information, proposed project schedule, property legal descriptions, land-use compatibility form, Sensitive, Threatened or Endangered Fish Species Public Interest Information, information about the point of diversion, notice to a reservoir operator if the application is to appropriate stored water if applicable, and fees. Additional requirements may apply if the applicant is for municipal or quasi-municipal water use as well as for other specified uses.

Please describe the process for how your agency handles incomplete applications for this permit:

Within 15 days of receiving an application, OWRD will determine whether the application contains the information required under OAR 690-340-0060(2) and is complete, including full payment of associated fees. If the application is incomplete or defective, OWRD will return all fees and the application. OAR 690-340-0060(3).

If readily available, please provide the number of incomplete applications the agency receives annually:

Although the Department does not track the number of applications by application type, across all application types for permits to store or appropriate surface water or groundwater, ~11% of permits are incomplete in a given year.

Is there a statutory or regulatory requirement governing the time within which the agency must process applications for the permit? If yes, please describe the timeframe.

Under ORS 537.147(2), OWRD must provide public notice of the application in the weekly public notice of the

department and allow for a 30-day comment period.

What is the application fee for the permit?

The base fee for an application to exclusively appropriate stored water is \$915. Additional fees are required that are determined based on the amount of stored water to be appropriated. ORS 536.050(1)(a)(C). A permit recording fee of \$915 is also required if a permit is issued. ORS 536.050(1)(b)(A). If the permit is issued as a final order containing conditions for mitigating impacts to the proposed water source, a fee of \$1,185. ORS 536.050(1)(b)(B). The fees were updated on July 24, 2025.

Is there a statutory, regulatory or other authority for the permit application fee?

ORS 536.050(1)(a)(C). ORS 536.050(1)(b)(A). ORS 536.050(1)(b)(B).

When was the application fee last changed? Please provide the date of the last change and how much the application fee increased or decreased.

The fees were updated on July 24, 2025.

Has your agency evaluated or identified opportunities to streamline the decision making process such as, eliminating unnecessary steps or barriers, reducing the number of incomplete applications, or eliminating any obsolete or unnecessary approval processes?

Over the last two years, processes and policies related to water right transactions have changed significantly. In 2024, OWRD evaluated changes that could be made to improve efficiency in processing the various water right transactions. In addition to taking internal administrative actions, the Department worked with the Oregon legislature to pass two pieces of modernization legislation, House bills 3544 and 3342. Simultaneously, the Department began a rule update process to implement the changes made by House Bills 3544 and 3342, as well as additional improvements that did not require legislation. The Department undertook the rulemaking at the end of 2025, into 2026, amending 18 divisions related to water right transactions processing. The goal of the rulemaking process was to (1) implement recent legislation; (2) implement other policy and process improvements relating to water rights transactions to streamline and align processes; and (3) incorporate general cleanup of rule divisions. These process changes went into effect on either January 1, 2026, April 1, 2026, or October 1, 2026. Many of these changes aimed to standardize the process across transactions, clarify rules that were confusing or outdated, reduce unnecessary administrative touch points, and remove delays that allowed for applications to sit without any action being taken, either by the Department or the applicant. We also adopted a rule division that established standardized criteria for maps to reduce confusion and increase efficiency by consolidating standard requirements in one section. Given the significant number of changes, a full summary of the changes made can be viewed online. (<https://www.oregon.gov/owrd/programs/WaterRights/Pages/Water-Right-Modernization.aspx>)

Does the agency have an application backlog for this permit?

Yes

Approximately how many applications for this permit are currently pending at the agency?

44

Provide any other information you feel is relevant to understanding the permit requirement:

N/A