

2/27/26

**Proposed Rule Revision Tracker**  
**Division 305 – General Map Criteria**

*Rule language changes made after the close of the public comment period February 5, 2026.*

Rule(s)	Commenter/Comment	Response	Changed?
<p><b>General – geospatial requirements</b></p>	<p><b>Ryan Krabill (RAC; OFB)</b> - OFB cautions against the Department adopting overly burdensome mapping and geospatial submission requirements—such as mandatory GPS coordinates, detailed tax lot and quarter-quarter identifiers, and any future requirements that maps include an OWRD-specified geospatial digital file (e.g., shapefile). Such reporting tools and formats should remain optional. We have concerns that such requirements could become a costly, technical “gatekeeping” hurdle for routine water-right transactions and may expand administrative requirements with a direct land and property nexus. Technical reporting requirements should not exceed commonly available tools.</p> <p>We respectfully request clear guardrails that keep mapping and data submission requirements practical and voluntary where appropriate...</p>	<p>OWRD’s existing rules require much of the same information. What Division 305 does is standardize mapping requirements across rule divisions, and in some cases specify exceptions to when this information must be provided. GIS software has existed since the 1960s and became widely used by the early 2000s. However, the agency recognizes that this tool is most frequently used by professionals. Rather than requiring that every applicant provide a digital file (as a shapefile or other approved format), the Division 305 rules would require this for maps prepared by a Certified Water Right Examiner. In addition, the proposed rules create a phase-in window where the requirement would not apply prior to April 1, 2029. Finally, the proposed rules also allow the Department to provide a waiver to this requirement. OWRD did review the rules again to make sure that they were not overly burdensome and have made one adjustment, which is to remove the requirement that gps devices be accurate to within 10 feet, as we understand that for some geographic areas that may not be reasonable.</p>	<p>Change made</p>
<p><b>General - administration of program rather than boundary enforcement; privacy</b></p>	<p><b>Ryan Krabill (RAC; OFB)</b> - Additionally, OFB believes that private property rights are among the most basic human rights and we oppose any actions that erode private property rights, and that where permits are required, processes should be simplified to reduce the time and burden to obtain them. We therefore urge OWRD to ensure mapping standards remain</p>	<p>The intent of Division 305 is to reduce confusion and increase efficiencies by standardizing map criteria in one place. (Additional specific mapping criteria may apply as provided in application-specific rule divisions, but Division 305 sets the “base” criteria.) Without the proposed rules, mapping requirements would continue to differ across 8 rule divisions. The information</p>	<p>No change made.</p>

	<p>focused on water-right administration (not boundary enforcement), include clear, predictable, and readily available waivers and compliance pathways for small and family operations, and establish strong limits on secondary use and sharing of submitted geospatial data, consistent with OFB's position that producer-generated data should not be accessed or shared without explicit consent and that producers must retain control over their data</p>	<p>required for water right transaction maps is to enable efficient review of those transactions, public participation, and the agency's regulatory responsibilities. Maps submitted for water right transactions have always been public records. In addition, many water rights are mapped in the Water Rights Mapping Tool. The availability of this information better enables staff reviews and public participation, including from existing water right holders, in water right transaction reviews. In addition, the availability of this information allows applicants and agents to determine if a transaction they would like to apply for may conflict with an existing water right. The proposed Division 305 rules contain opportunities for some requirements to be waived or modified by the Department if requested by the applicant.</p>	
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