

5/1/26

Proposed Rule Revision Tracker

Division 330 – PROOF OF APPROPRIATION TO PERFECT A WATER RIGHT

Changes made to the v1 RAC version. Changes are highlighted in the v2 RAC version of the rules for RAC member convenience.; V2 is the same as the public comment draft except no highlights.

Section/ Version Comment	Issue	Response/Modified Language	Status/Version change made in
-0050 Cancellation of Permit 10/27/25	RACM - The new language changes a directive that the OWRD “shall” mail a letter of intent to cancel and that if no response is received, they “shall” cancel the permit, to a permissive “The Department may initiate cancellation of a permit pursuant to ORS 537.260 or ORS 537.210”. It is unclear why the OWRD is removing this provision of rule. We would urge OWRD to retain the original language. Staff change - Rule Summary needs revision to clarify the purpose of the new rule.	This rule is inconsistent with statutes that govern cancellations for permits. OWRD initially proposed to repeal in its entirety given its significant lack of alignment with the statutes. After receiving comments from a RAC member desiring to keep the rule for transparency purposes, the Department adjusted it to point to the provisions of ORS 537.260 and ORS 537.410 - both of these statutes refer to “may”. ORS 537.410 is the correct reference. Rule Summary revised as needed.	No change made Complete. Change made in v2.
-0060 Final Proof Survey: Claims of Beneficial Use for Applications Filed after July 9, 1987 10/27/25	Staff change - Rule Summary needs revision to clarify the purpose of the new rule.	Rule Summary revised as needed.	Complete. Change made in v2.

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<p>-0070 Incremental Perfection of a Municipal Water Right 10/27/25</p>	<p>Staff change - update applicability date to reflect when rules will go into effect.</p> <p>Staff change - rule reference in (6) needs correcting.</p> <p>Staff change - Rule Summary needs revision to clarify the purpose of the new rule.</p>	<p>Applicability date revised to October1, 2026.</p> <p>Rule reference corrected.</p> <p>Rule Summary updated to reflect rule language and other needed revisions.</p>	<p>Complete. Changes made in v2.</p>
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