

The
History
of
Oregon
Water
Law



Oregon Water Resources Department
September 2006



Oregon Water Law

Historical Overview
Oregon Water Resources Department
September 2006

photo courtesy of the Oregon State Library

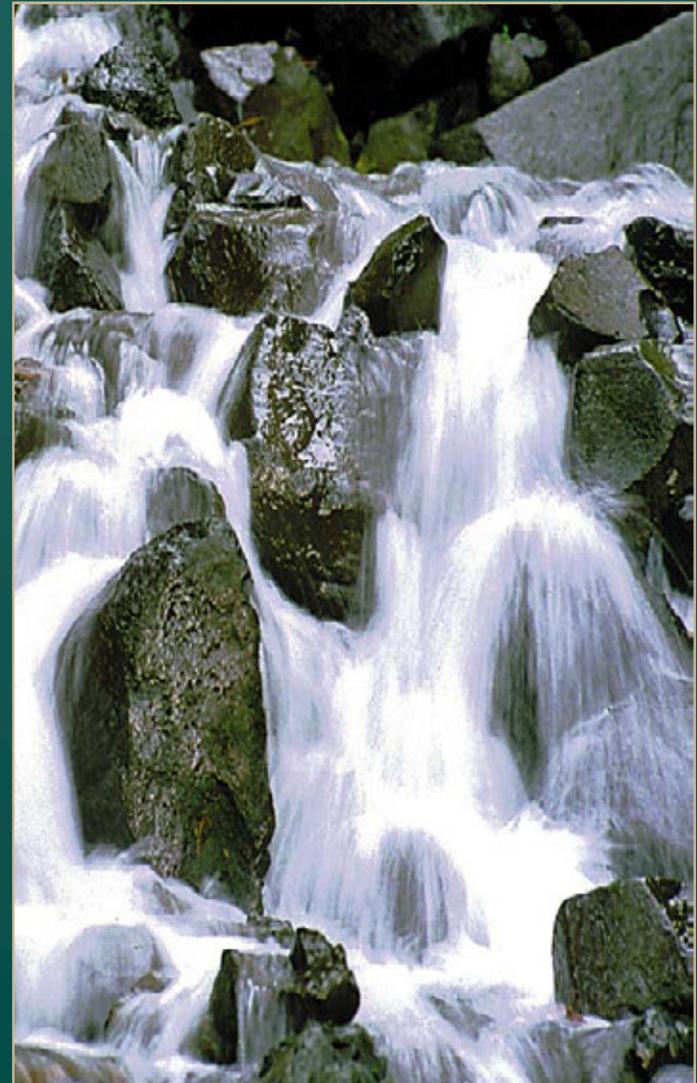
Settling The West



photo courtesy of the Oregon State Library

Department History

- 1893 Intention of Water Use
county clerk
- 1905 Register Water Use
State engineer
- 1909 Water code established
- 1955 Ground Water Act/Water Board
water planning
- 1975 State Engineer + Board=WRD
Director and Board
- 1985 Water Resources Commission
- 1987 Instream water rights
- 1995 SB 674 water rights processing



The 1909 Water Code



four basic provisions:

- 1) Beneficial use without waste**
using water for personal or public good
- 2) Priority**
first in time, first in right
- 3) Appurtenancy**
attached to the land
- 4) Must be used**
at least once every five years

Some Beneficial Uses



Irrigation

watering crops...



Industrial

manufacturing, etc.

Domestic

drinking water



Municipal

cities

Instream flows

stream/riparian enhancement

Oregon's Water is Public Water



Oregon Water Code

Feb 24, 1909

Ground Water Act

1955

This includes:

“All the surface and the ground water of the state...”

“Exempt Uses”

Ground Water

Single and group
domestic

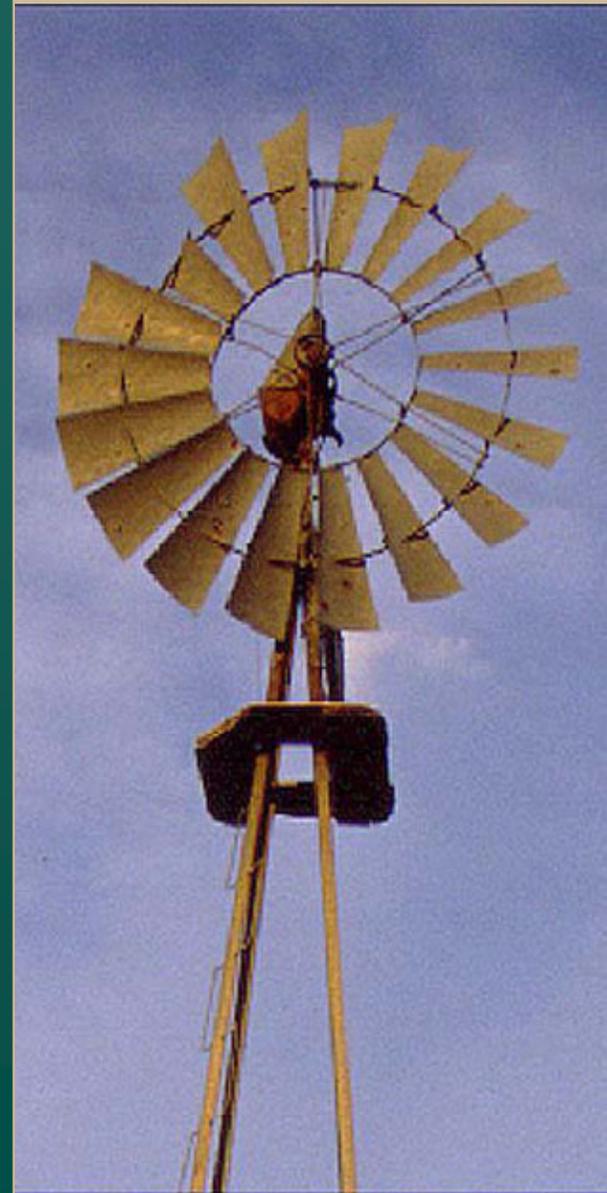
15,000 gallons per day

Commercial/Industrial

5,000 gallons per day

Lawn and garden

up to 1/2 acre



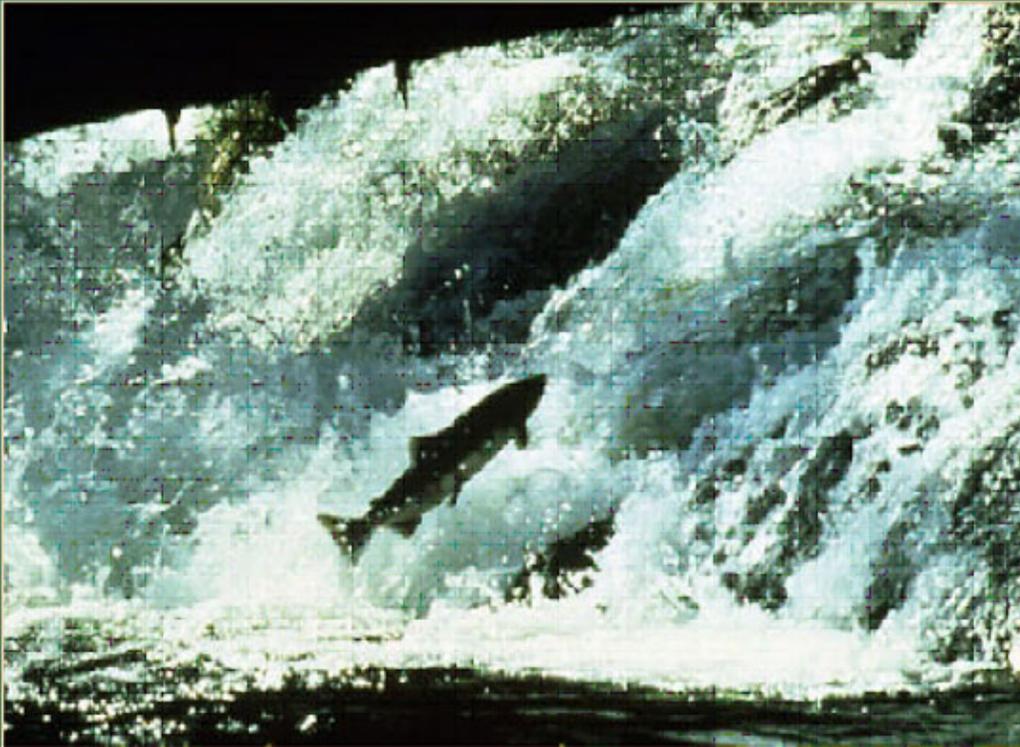
“Exempt Uses”

Surface water

- Livestock watering
- Certain small ponds
- Some others

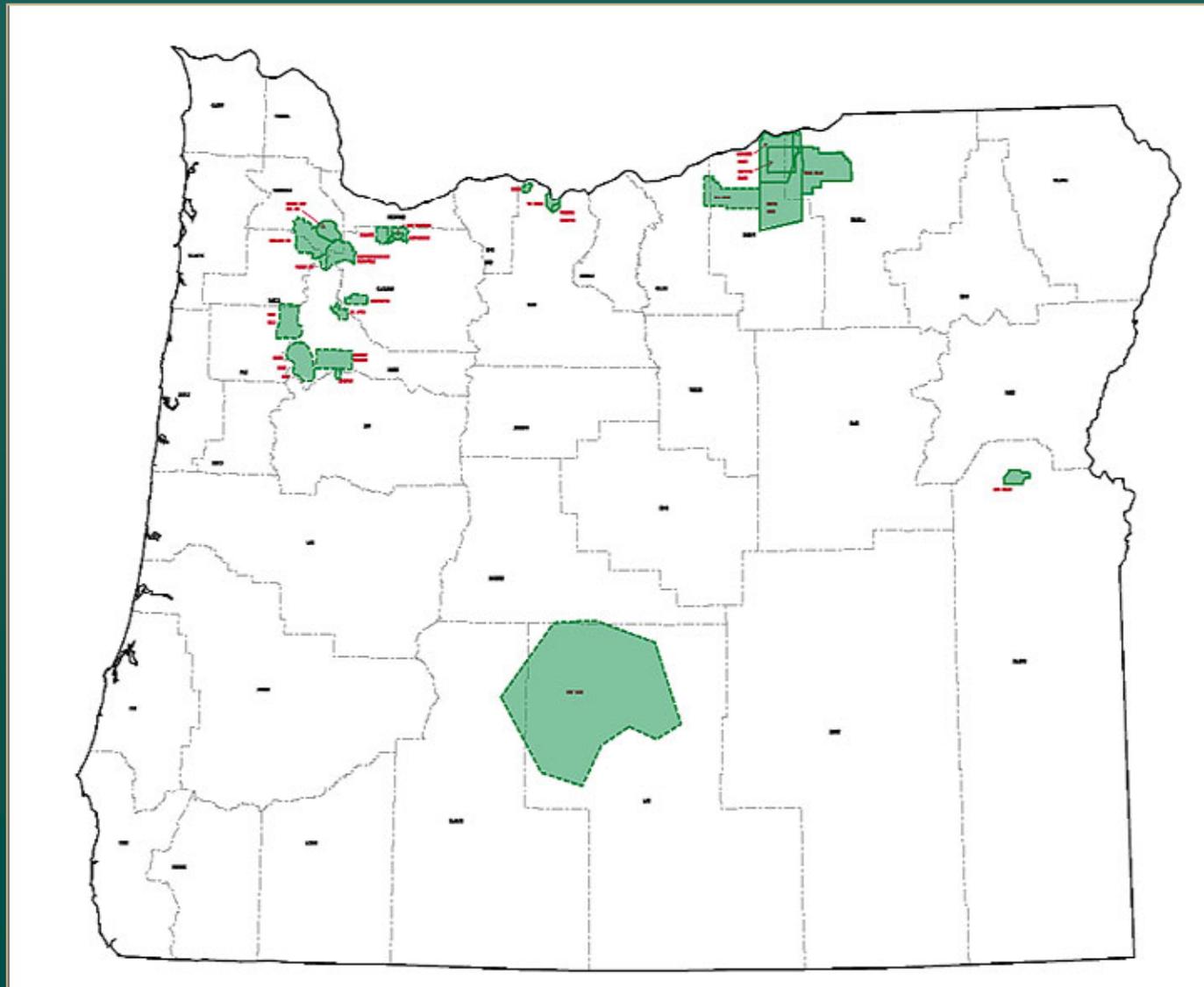


1955: State Water Resources Board



- Study and classify ground water uses
- Withdraw streams from further use
- Set minimum streamflows

Critical Ground Water Areas



Instream Water Rights



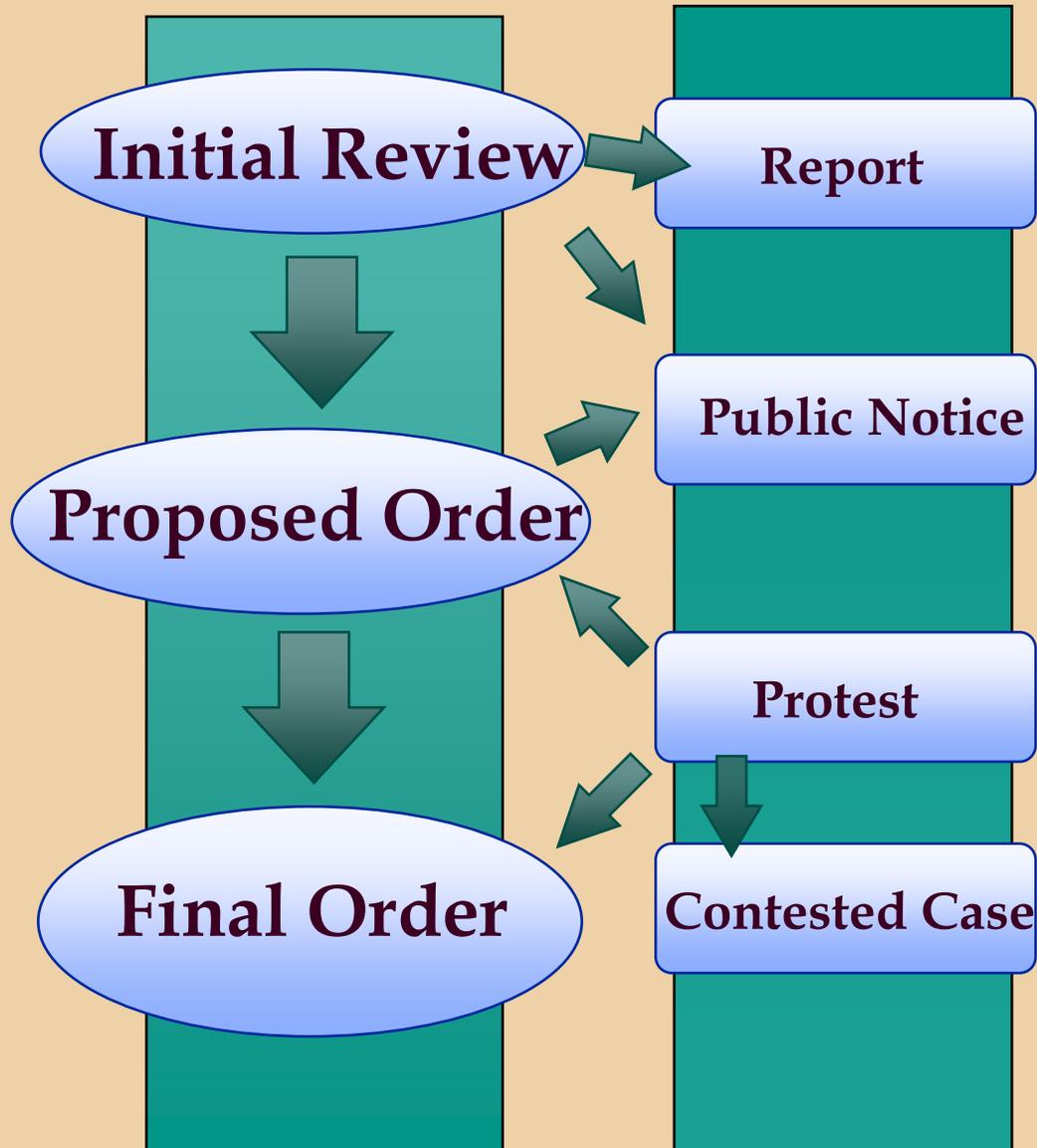
Instream rights are held in trust by WRD

SB 674 Water Rights Application Process



- Backlog elimination
- Timelines
- Public interest review

Water right application process



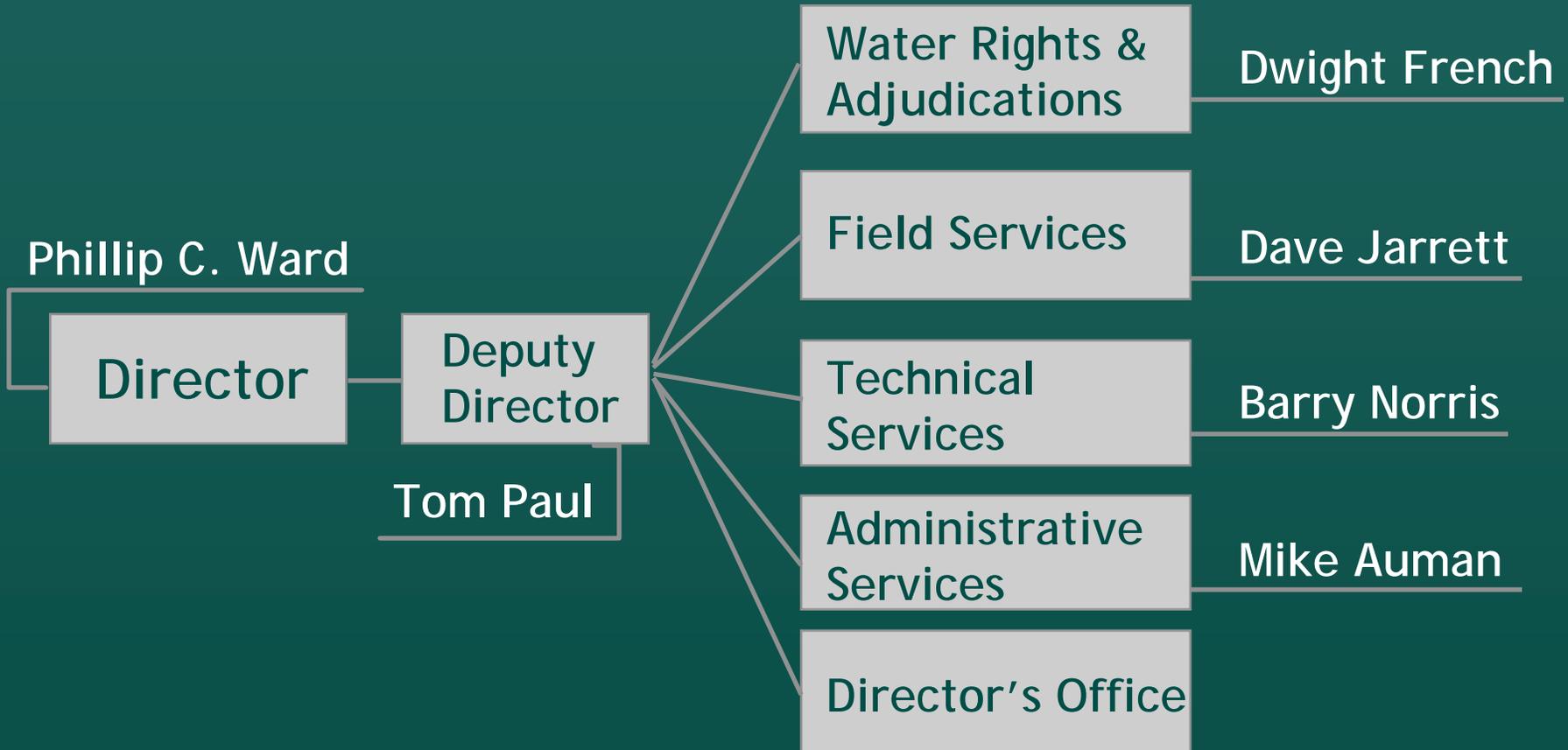


Agency Overview



W *State of Oregon*
Water Resources Department

Agency Organization



Five Divisions

watermasters

geologists

engineers

hydrologists

geographers

computer
support

Field & Technical Services



Ground Water

Information Services



Enforcement

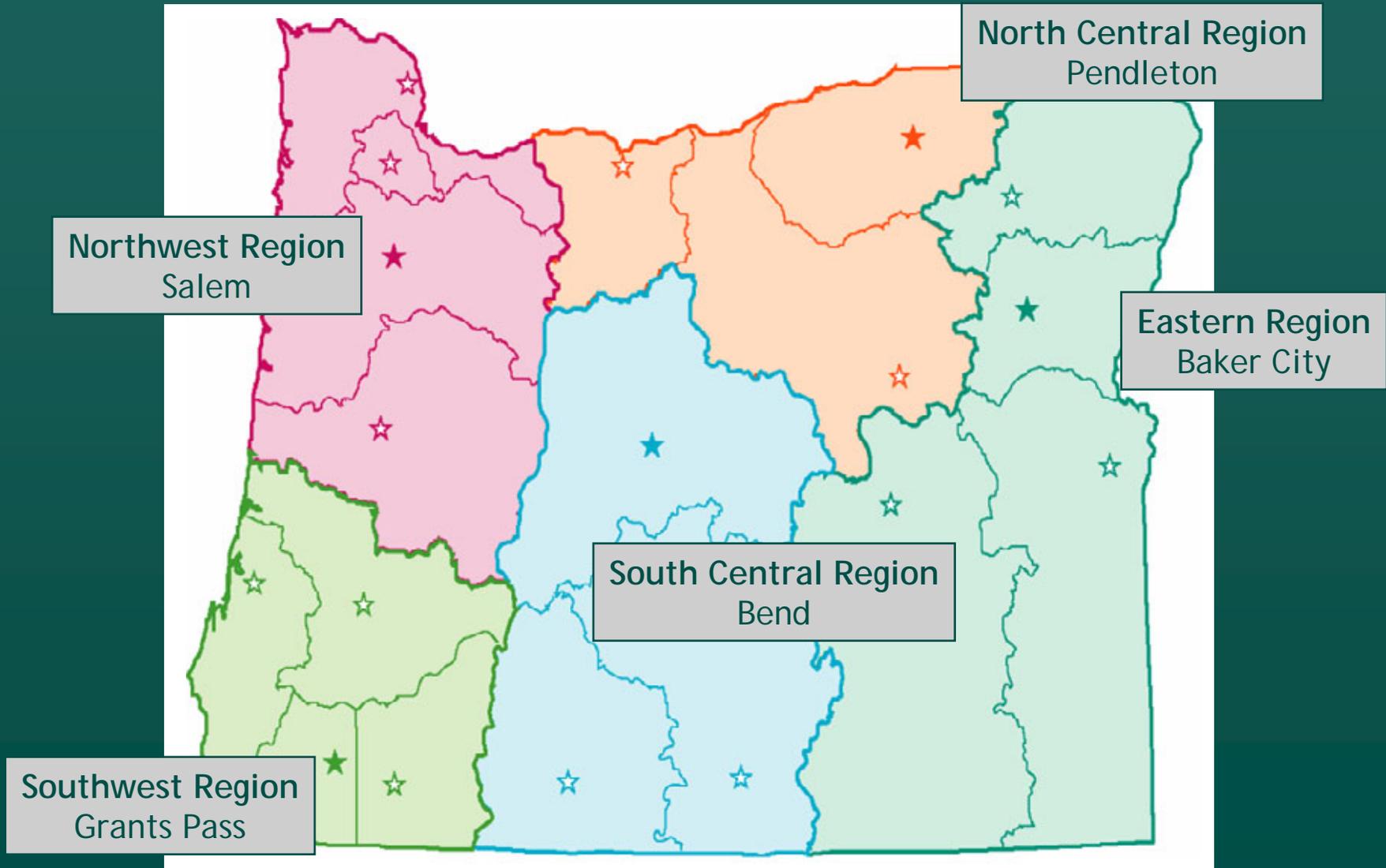
Geographic Information



Dam Safety

Hydrographics

Regional and Field Offices





Watermaster duties

Local contact/technical assistance

Measurement/
monitoring

Enforcement

Dam safety

Plan review

Education

Water Resources Commission

Seven
members

Appointed
by Governor

Confirmed
by Senate

Four year
term

Geographic
areas

