

Requested by Representative STARK

**PROPOSED AMENDMENTS TO
HOUSE BILL 2470**

1 On page 1 of the printed bill, line 2, after “water;” delete the rest of the
2 line and insert “creating new provisions; and amending ORS 537.762, 537.763
3 and 537.765.”.

4 Delete lines 4 through 29 and delete pages 2 and 3 and insert:

5 **“SECTION 1.** ORS 537.762 is amended to read:

6 “537.762. (1) Each person required to possess a license under ORS 537.747
7 who has entered into a contract to construct, alter, abandon or convert a
8 well or cause a well to be constructed, altered, abandoned or converted shall,
9 before beginning work on the well, make a report to the Water Resources
10 Commission containing:

11 “(a) The name and post-office address of the owner of the well.

12 “(b) The approximate location of the well.

13 “(c) The proposed depth and diameter of the well.

14 “(d) The proposed purpose or use of the ground water from the well.

15 “(2) The commission shall furnish a convenient means for submitting the
16 reports referred to in subsection (1) of this section to each person who pos-
17 sesses a license under ORS 537.747.

18 “(3) A separate report shall be furnished under subsection (1) of this sec-
19 tion for each well that is constructed, altered, abandoned or converted.

20 “(4) The report furnished under subsection (1) of this section shall be
21 confidential and maintained as such for one year or until the well log re-

1 quired under ORS 537.765 is received by the commission, whichever is earlier.
2 Nothing in this subsection prohibits the commission from using the report
3 for enforcement actions during the period the report is considered confiden-
4 tial.

5 “(5) Each report form submitted under subsection (1) of this section for
6 the construction of a new well, deepening of an existing well, or conversion
7 of a well shall be accompanied by a fee of [~~\$225~~] **\$350**. Notwithstanding the
8 fee established pursuant to this subsection, the commission may adopt by
9 rule a reduced fee for persons submitting materials to the Water Resources
10 Department in a digital format approved by the department.

11 “(6) The moneys paid to the commission under subsection (5) of this sec-
12 tion shall be paid into the Water Resources Department Operating Fund. All
13 interest, if any, from moneys received under subsection (5) of this section
14 shall inure to the benefit of the Water Resources Department. Such moneys
15 and interest earned on such moneys are continuously appropriated to the
16 department to be used to pay the costs of the department to employ personnel
17 to inspect wells and well construction.

18 **“SECTION 2.** ORS 537.763 is amended to read:

19 “537.763. (1) There is established in the State Treasury the Water Re-
20 sources Department Operating Fund to provide for the payment of the ad-
21 ministrative expenses of the Water Resources Commission in carrying out
22 the provisions of ORS 537.762.

23 “(2) The Water Resources Department Operating Fund shall consist of:

24 “(a) Fees received pursuant to ORS 537.762.

25 “(b) All moneys received on behalf of the fund by gift, grant or appro-
26 priation, from whatever source.

27 “(3) The Water Resources Department Operating Fund shall be separate
28 and distinct from the General Fund. All interest **earned by the Water Re-**
29 **sources Department Operating Fund**, if any, shall inure to the benefit of
30 the [*Water Resources Department Operating Fund*] **fund**.

1 “(4) In expending moneys in the Water Resources Department Operating
2 Fund received from fees pursuant to ORS 537.762, the biennial limitations
3 on expenditures of the Water Resources Department shall be:

4 “(a) No more than five percent for well inspection administrative support;

5 “(b) No more than 20 percent for well inspection technical and informa-
6 tion services; and

7 “(c) No less than 75 percent for well inspection field investigation, [*and*]
8 enforcement **and review of well logs**.

9 **“SECTION 3.** ORS 537.765 is amended to read:

10 “537.765. (1) The business or activity of constructing new wells or alter-
11 ing, abandoning or converting existing wells is declared to be a business or
12 activity affecting the public welfare, health and safety. In order to enable the
13 state to protect the welfare, health and safety of its citizens, any person li-
14 censed under ORS 537.747, or any person or public agency constructing, al-
15 tering, abandoning or converting a well, shall keep a log of each well
16 constructed, altered, abandoned or converted and shall furnish a certified
17 copy of the log to the Water Resources Commission within 30 days after the
18 completion of the construction, alteration, abandonment or conversion.

19 “(2) The commission shall provide acknowledgment to the [*constructor*]
20 **person, public agency or licensee** of receipt of a well log submitted under
21 subsection (1) of this section within 120 days of receipt.

22 “(3) Each log required under subsection (1) of this section shall be in a
23 form prescribed by the commission and shall show:

24 “(a) The name and post-office address of the owner of the well and the
25 person, [*or*] public agency **or licensee** performing or causing the perform-
26 ance of the work of constructing, altering, abandoning or converting the
27 well.

28 “(b) The location of the well by county tax lot number, township, range
29 and section, and to the nearest quarter-quarter section or latitude and lon-
30 gitude as established by a global positioning system, or with reference to

1 government survey corners or monuments or corners of recorded plats.

2 “(c) The dates of commencement and completion of the work of con-
3 structing, altering, abandoning or converting the well.

4 “(d) The depth, diameter and type of the well.

5 “(e) The kind and amount of the casing and where placed in the well,
6 including the number and location of perforations or screens.

7 “(f) The flow in cubic feet per second or gallons per minute of a flowing
8 well, and the shut-in pressure in pounds per square inch.

9 “(g) The static water level with reference to the land surface, and the
10 drawdown with respect to the amount of water pumped per minute, when a
11 pump test is made.

12 “(h) The kind and nature of the material in each stratum penetrated, with
13 at least one entry for each change of formation, and the thickness of
14 aquifers.

15 “(i) The temperature of the ground water encountered and other charac-
16 teristics of the ground water in detail as required by the commission.

17 “(4) If required by the commission, the person, public agency or licensee
18 referred to in subsection (1) of this section shall furnish to the commission
19 samples of the ground water and of each change of formation in containers
20 furnished and transportation expense paid by the commission.

21 **“(5) Not later than 120 days after submission of a well log pursuant
22 to subsection (1) of this section, the commission shall:**

23 **“(a) Review the well log to identify any deficiencies and assess
24 compliance with the standards that were in effect when the well that
25 is the subject of the well log was constructed, altered, abandoned or
26 converted.**

27 **“(b) Notify the person, public agency or licensee that submitted the
28 well log that the review has been completed.**

29 **“SECTION 4. The amendments to ORS 537.765 by section 3 of this
30 2021 Act apply to well logs submitted pursuant to ORS 537.765 on or**

1 **after July 1, 2022.”.**

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