

WATER LAWS

537.310

LAW REVIEW CITATIONS: 46 OLR 159; 3 WLJ 279.

537.332 to 537.360

*LAW REVIEW CITATIONS: 21 EL 1 (1991); 28 WLR 285 (1992); 36 EL 1125, 1237 (2006); 47 WLR 467 (2011).

537.332

*LAW REVIEW CITATIONS: 19 EL 494 (1989); 21 EL 13 (1991); 36 EL 1383 (2006).

537.334

*LAW REVIEW CITATIONS: 36 EL 1383 (2006).

537.336

*LAW REVIEW CITATIONS: 19 EL 493 (1989); 36 EL 1237, 1383 (2006).

537.341

*LAW REVIEW CITATIONS: 36 EL 1237 (2006).

537.345

(formerly 537.300)

*See annotations under ORS 537.400.

537.346

*LAW REVIEW CITATIONS: 36 EL 1237 (2006).

537.348

*LAW REVIEW CITATIONS: 26 EL 175 (1996); 36 EL 1125, 1237, 1383 (2006).

537.350

*LAW REVIEW CITATIONS: 21 EL 13 (1991).

537.356

*LAW REVIEW CITATIONS: 36 EL 1125 (2006).

537.395

*LAW REVIEW CITATIONS: 36 EL 1125 (2006).

537.400

(formerly 537.300, then 537.345)

*See also annotations under ORS 537.300 in permanent edition.

*ATTY. GEN. OPINIONS: Release of water from Howard Prairie Reservoir to City of Ashland, (1977) Vol 38, p 956.

537.409

NOTES OF DECISIONS

*Applicable standard for approval or denial of reservoir permit under this section is whether reservoir poses 'significant detrimental impact' to existing fishery resources. Noble v. Oregon Water Resources Department, 264 Or App 110, 330 P3d 688 (2014), Sup Ct **review denied**.

537.410

CASE CITATIONS: Re White River, (1936) 155 Or 148, 62 P2d 22.

537.420

CASE CITATIONS: Smyth v. Jenkins, (1956) 208 Or 92, 299 P2d 819; Cleaver v. Judd, (1964) 238 Or 266, 393 P2d 193.

537.455 to 537.500

*LAW REVIEW CITATIONS: 21 EL 1 (1991); 28 WLR 285 (1992); 28 EL 1137 (1998); 36 EL 1125 (2006).

537.455

*LAW REVIEW CITATIONS: 19 EL 494 (1989).

537.460

*LAW REVIEW CITATIONS: 19 EL 493 (1989).

537.465

*LAW REVIEW CITATIONS: 36 EL 1237 (2006).

537.470

*LAW REVIEW CITATIONS: 27 EL 151 (1997); 36 EL 1237 (2006).

537.485

*LAW REVIEW CITATIONS: 36 EL 1237 (2006).

537.505 to 537.795

NOTES OF DECISIONS

*Ground Water Act of 1955, construed together with ORS chapter 536, governing administration of water resources generally, cannot be read as expressly prohibiting local bodies from engaging in regulatory activity consistent with statute or agency regulations. Water Resources Dept. v. City of Klamath Falls, 68 Or App 148, 682 P2d 779 (1984), Sup Ct **review denied**.

ATTY. GEN. OPINIONS: Crediting on new application of fees collected by State Engineer for issuing permit for appropriation of underground waters, 1926-28, p 252; amount of fees to be collected by State Engineer on applications for permits to appropriate underground water, 1930-32, p 61; authority of State Engineer to issue permits for appropriation of underground waters east of Cascade Mountains, 1930-32, p 695; State Engineer's authority to issue permits for appropriation of underground waters, 1940-42, p 635; issuance of certificate if use violated statutes, 1958-60, p 25.

*Requirements for exploring for or production of geothermal or oil or gas resources, (1974) Vol 37, p 68.

LAW REVIEW CITATIONS: 47 OLR 229-236; 3 WLJ 317-335; *4 EL 333 (1974); *47 WLR 405 (2011).

537.525

NOTES OF DECISIONS

*Where Water Resources Director finds that public welfare, health and safety require corrective controls and director made findings of fact that satisfied statutory standards which director properly interpreted and applied, director's findings and justification for order establishing Butter Creek Critical Ground Water Area were sufficient. Doherty v. Oregon Water Resources Director, 308 Or 543, 783 P2d 519 (1989).