

tain a permit from the commission before beginning work. Application for the permit shall be in the form prescribed by the commission and must be accompanied by a fee of \$500. At the time the permit is obtained, the applicant also shall file with the commission a bond or an irrevocable letter of credit issued by an insured institution as defined in ORS 706.008 running to the State of Oregon in the sum of \$10,000, ensuring that in the construction, alteration, abandonment or conversion of the well the landowner shall comply with all the provisions of ORS 537.505 to 537.795 and 537.992 that are applicable to the construction, alteration, abandonment or conversion of wells and to the rules and standards of well construction, alteration, abandonment and conversion that have been prescribed by the commission. Before the person who constructs, alters, abandons or converts a well referred to in this subsection seals the well, the person must give 10 days' written notice of the construction, alteration, abandonment or conversion to the commission. After expiration of the notice period, the well may be sealed even if the commission has not caused the well to be inspected. [1961 c.334 §4; 1971 c.591 §2; 1981 c.416 §4; 1985 c.615 §1; 1985 c.673 §198; 1991 c.331 §78; 1997 c.631 §485; 1999 c.293 §3; 2003 c.144 §1; 2017 c.623 §1]

537.756 [1961 c.334 §7; 1971 c.591 §3; repealed by 1981 c.416 §10]

537.759 [1961 c.334 §8; repealed by 1981 c.416 §10]

537.762 Report of constructor before beginning work on well; rules; fees. (1) Each person required to possess a license under ORS 537.747 who has entered into a contract to construct, alter, abandon or convert a well or cause a well to be constructed, altered, abandoned or converted shall, before beginning work on the well, make a report to the Water Resources Commission containing:

- (a) The name and post-office address of the owner of the well.
- (b) The approximate location of the well.
- (c) The proposed depth and diameter of the well.
- (d) The proposed purpose or use of the ground water from the well.

(2) The commission shall furnish a convenient means for submitting the reports referred to in subsection (1) of this section to each person who possesses a license under ORS 537.747.

(3) A separate report shall be furnished under subsection (1) of this section for each well that is constructed, altered, abandoned or converted.

(4) The report furnished under subsection (1) of this section shall be confidential and maintained as such for one year or until the well log required under ORS 537.765 is received by the commission, whichever is earlier. Nothing in this subsection prohibits the commission from using the report for enforcement actions during the period the report is considered confidential.

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

(6) The moneys paid to the commission under subsection (5) of this section shall be paid into the Water Resources Department Operating Fund. All interest, if any, from moneys received under subsection (5) of this section shall inure to the benefit of the Water Resources Department. Such moneys and interest earned on such moneys are continuously appropriated to the department to be used to pay the costs of the department to employ personnel to inspect wells and well construction. [Formerly 537.632; 1981 c.416 §5; 1985 c.615 §7; 1985 c.673 §69; 1987 c.109 §2; 1989 c.129 §1; 1999 c.293 §4; 2003 c.594 §3; 2005 c.156 §2; 2009 c.766 §1]

537.763 Water Resources Department Operating Fund. (1) There is established in the State Treasury the Water Resources Department Operating Fund to provide for the payment of the administrative expenses of the Water Resources Commission in carrying out the provisions of ORS 537.762.

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

(a) Fees received pursuant to ORS 537.762.

(b) All moneys received on behalf of the fund by gift, grant or appropriation, from whatever source.

(3) The Water Resources Department Operating Fund shall be separate and distinct from the General Fund. All interest, if any, shall inure to the benefit of the Water Resources Department Operating Fund.

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

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

(b) No more than 20 percent for well inspection technical and information services; and