

536.045 Sending or receipt of documents in electronic form; rules; fees. (1) Notwithstanding any provision of ORS chapters 536 to 540, 543 or 543A that requires the mailing of a document, the submission of a document in written form or the provision of a certified copy of a document, the Water Resources Department may adopt rules:

(a) Allowing the submission of one or more types of document to the department by electronic means in lieu of submission by mailing or submission in written form;

(b) Allowing the department, with the consent of the recipient, to send one or more types of document in electronic form in lieu of mailing or other sending of the document in written form; or

(c) Identifying acceptable means for verifying the authenticity of a document sent by electronic means in lieu of the provision of a certified copy of the document.

(2) The department may not adopt rules to require the submission of documents to the department by electronic means. The department may not require a recipient to consent to the receipt of documents from the department by electronic means. The department may not use electronic means in lieu of service under ORCP 7 or notice under ORS 183.413 or 183.415.

(3) For purposes of determining timeliness or calculating deadlines, a document sent by electronic means in accordance with department rules is considered to be delivered when sent.

(4) Notwithstanding any provision of ORS chapters 536 to 540, 543 or 543A that specifies a fee amount, the department may reduce or waive the fee for a document that the department sends or receives by electronic means. [2011 c.51 §1]

Note: 536.045 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 536 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

536.050 Fees; rules; refunds; waiver and reduction of certain fees. (1) The Water Resources Department may collect the following fees in advance:

(a) For examining an application for a permit:

(A) To appropriate water, except as provided under ORS 543.280 for an application for a hydroelectric project:

(i) A base fee of \$930 for an appropriation of water through a single use, point of diversion or point of appropriation;

(ii) \$350 for the first second-foot or fraction thereof appropriated under the permit;

(iii) \$350 for each additional second-foot or fraction thereof appropriated under the permit;

(iv) \$350 for each additional use, point of diversion or point of appropriation included in the application;

(v) If appropriating stored water, \$35 for the first acre-foot or fraction thereof up to 20 acre-feet, plus \$1.20 for each additional acre-foot or fraction thereof; and

(vi) If appropriating ground water, in addition to any other fees, \$410 for each application filed.

(B) To store water under ORS 537.400 or 537.534 (4):

(i) A base fee of \$930;

(ii) \$35 for the first acre-foot or fraction thereof up to 20 acre-feet, plus \$1.20 for each additional acre-foot or fraction thereof; and

(iii) \$140 for each additional storage location.

(C) To exclusively appropriate stored water:

(i) A base fee of \$520; and

(ii) \$35 for the first acre-foot or fraction thereof up to 20 acre-feet, plus \$1.20 for each additional acre-foot or fraction thereof.

(b) For a permit issued under ORS 537.147, 537.211, 537.409 or 537.625 to appropriate or store water:

(A) A base fee of \$520 for recording the permit; and

(B) An additional fee of \$670 if the permit is issued pursuant to a final order that contains provisions requested by the applicant for mitigating impacts to the proposed water source.

(c) For filing and recording the assignment or partial assignment of a water right application, permit or license under ORS 537.220 or 537.635, \$100.

(d) For copying records in the department, \$2.30 for the first page and 60 cents for each additional page.

(e) For certifying copies, documents, records or maps, \$12 for each certificate.

(f) For a blueprint copy of any map or drawing, the actual cost of the work.

(g) For a computer-generated map, the actual cost of the work.

(h) For examining an application for approval of a change to an existing water right or permit:

(A) A base fee of \$1,160 for a change to a single water right or permit;

(B) \$930 for each additional type of change requested;