

**SURVEY OF WATER RESOURCES**

**542.010 Contract by Water Resources Commission with federal agencies for investigating and developing water resources; expenses.** In order that the natural resources of Oregon in land, water and power may be utilized to the highest advantage of the people, complete cooperation between the state and federal authorities in controlling, investigating and developing these resources in the interest of the people of the state is essential. Therefore, the Water Resources Commission may, on behalf of this state, enter into a contract or agreement with any federal department or bureau having jurisdiction in such matters for the execution of such surveys and investigations and the preparation of such plans, specifications and estimates or other data by cooperation between the state and the federal department or bureau as will, in the judgment of the Water Resources Commission, approved by the Governor, be best suited to accomplish the purposes of ORS 542.010 to 542.050. However, in no case shall the proportion of expense to be borne by this state exceed the proportion to be borne by the other party to the contract or agreement. [Amended by 1985 c.673 §130]

**542.020 Purpose of law.** The intent of ORS 542.010 to 542.050, as outlined in ORS 542.010, is to have on file ready and available, such detailed surveys and information as will not only permit, but will tend to induce, the beneficial use of water by private persons, irrigation districts, corporations, or possibly by the state or national government.

**542.030 Report by commission; contents; copies for public inspection.** As soon as practicable after the completion of the surveys and investigations, the Water Resources Commission shall prepare or have prepared a report setting forth the plans, specifications and estimated cost of construction, maintenance and operation of the projects, together with any other information tending to show their feasibility, and may in the discretion of the commission have the report printed in pamphlet form and distributed to those interested. Copies of completed maps, plans, specifications, estimates and reports secured or prepared in connection with any such investigation shall be kept on file in the Water Resources Department at all times, and open for public inspection during business hours. [Amended by 1985 c.673 §131]

**542.040 Withholding water from appropriation pending investigation; restrictions on permit to appropriate; repayment of cost of project.** (1) The Water Resources Commission, on behalf of the state, shall withdraw and withhold from appropriation any unappropriated water which

may be required for any project under investigation or to be investigated under the provisions of ORS 542.010 to 542.050. If the project is found to be feasible, the commission shall withhold the same from appropriation until the money expended in the investigation of the project is repaid to the cooperating parties in proportion to the amount contributed by each unless funds for construction are provided by one or both of the cooperating parties, in which case the commission shall issue a permit without requiring such repayment. No permit to appropriate water which may be in conflict with any such project under investigation shall be approved by the commission, nor shall any assignment of plans and information or any part thereof be made except upon consideration and order by the commission after full hearing of all interested parties.

(2) Any moneys returned to the commission under the provisions of this section shall promptly be turned over to the State Treasurer and credited to the General Fund in the State Treasury. [Amended by 1985 c.673 §132]

**542.050 Construction work; minor portions of project.** As the purposes of ORS 542.010 to 542.050 are to secure the most immediate, as well as the most beneficial, ultimate use of the available waters for any certain project, the Water Resources Commission, as occasion may require, may grant permits and arrange the details so that minor portions of the project may be segregated and constructed at any time. However, the segregation and development of such minor parts shall not interfere to any serious extent with the handling or completion of the balance of the project. [Amended by 1985 c.673 §133]

**542.060 Information on availability of water for beneficial uses; duties of Water Resources Commission; gauging stations; publication of information.** The Water Resources Commission shall establish gauging stations at suitable points on the various streams of the state to determine the daily and seasonal fluctuations in the flow of the water; shall make surveys and profiles to determine the fall of stream suitable for power development; and shall prepare topographic maps of the territory adjacent to the private streams of the state, so that the availability of water for power, irrigation or other beneficial uses may be determined and made known to the public. All such maps and information shall be made a matter of record in the Water Resources Department and the commission shall publish a summary of all such information in the most practical and economical manner for presentation to the public. The commission shall enter into such agreements and contracts as will insure that