

ORS 536.090 and adopted by the Water Resources Commission. [1993 c.774 §9]

537.790 [1955 c.708 §34; 1973 c.612 §15; repealed by 1985 c.673 §185]

537.791 Request for well identification number. (1) A landowner may apply to the Water Resources Department for a number to identify a well on the landowner's property.

(2) The Water Resources Department shall issue a number to identify a well that has not received a number through the reporting process required for wells under ORS 537.762 within 10 days after receipt of the application. [1993 c.774 §10]

537.792 [1985 c.615 §6; 1985 c.673 §200; 1991 c.734 §52; renumbered 537.992 in 1993]

537.793 Effect of failure to comply with ORS 537.789 or 537.791. Failure of a seller to comply with the provisions of ORS 537.789 or 537.791 does not invalidate an instrument of conveyance of real estate. [1993 c.774 §11; 2005 c.14 §3]

537.795 ORS 537.505 to 537.795 supplementary. ORS 537.505 to 537.795 and 537.992 are intended to be supplementary and in addition to and are not intended to repeal any law relating to the surface waters of this state. [1955 c.708 §35]

537.796 Rules regarding low temperature geothermal appropriations. The Water Resources Commission shall adopt by rule an initial temperature below which low temperature geothermal appropriations shall not be protected from thermal interference caused by ground water appropriations for other purposes. [1989 c.201 §§7,8]

Note: 537.796 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 537 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

WATER RIGHT EXAMINERS; SURVEYS

537.797 Criteria for certification of land surveyors, engineers and geologists to determine work completion; rules. The Water Resources Commission by rule shall establish criteria for the certification of registered, professional land surveyors and engineers and geologists practicing as defined in ORS 672.005 and 672.505, respectively, to conduct surveys to determine whether a permittee has completed all work necessary to perfect an appropriation of water under ORS 537.230, 537.630 and 540.530. [1987 c.542 §1; 1989 c.171 §70; 1995 c.7 §1; 2009 c.259 §29]

Note: 537.797, 537.798 and 537.799 were enacted into law by the Legislative Assembly but were not added to or made a part of ORS chapter 537 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

537.798 Water right examiner certificate; regulation of profession; rules; fees. (1) The State Board of Examiners for Engineering and Land Surveying may issue a water right examiner certificate to a registered professional land surveyor, registered professional engineer or registered geologist who meets the criteria established by the Water Resources Commission under ORS 537.797. The board shall require an applicant for the certificate to pass an examination establishing the qualification of the applicant to be a water right examiner. The Water Resources Department shall prepare, administer and score the examination.

(2) The board shall establish fees for the examination, certification and renewal of certification of water right examiners. The fees shall be based upon the expenses of the board and the department in conducting the certification program. The board shall reimburse the department for department expenses related to the preparation, administration and scoring of the examination.

(3) The board may adopt rules to regulate persons certified as water right examiners. The rules may include, but need not be limited to, rules establishing standards of professional conduct and rules establishing professional development or continuing education requirements.

(4) Upon receipt of a complaint, or upon its own initiative, the board may investigate any alleged or suspected violation by a water right examiner of ORS 672.002 to 672.325, the criteria established under ORS 537.797, commission rules or a board rule adopted under this section or ORS 672.255. If the board finds that a violation has occurred, in addition to any other disciplinary or regulatory authority of the board, the board may suspend, revoke or modify a certificate issued under this section. Board action to suspend, revoke or modify the certificate is subject to the provisions of ORS chapter 183 relating to contested cases. [1987 c.542 §2; 1995 c.7 §2; 2009 c.259 §30; 2011 c.167 §1]

Note: See note under 537.797.

537.799 Survey for issuance of water right certificate. Any person who has applied for or received a permit or a transfer to appropriate water under ORS 537.211, 537.625 or 540.530 on or before July 9, 1987, shall notify the Water Resources Department that the work has been completed and either:

(1) Hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; or