

House Bill 2564

Sponsored by COMMITTEE ON ENERGY AND THE ENVIRONMENT

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires all water users to measure amounts of water withdrawn or stored. Applies to new water users on and after effective date of Act. Applies to existing water users on and after January 1, 2012. Allows Water Resources Commission to require water users to report water use measurements.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1 Relating to measurement of water use; and declaring an emergency.

2 Whereas the measurement and reporting of water use benefits all water users and is critical to
3 the effective management of the water resources of this state; and

4 Whereas the promotion of measurement and reporting of water use by all water users is a val-
5 uable public policy; and

6 Whereas local, state and federal cooperation and coordination should be encouraged in order to
7 provide financial support for water use measurement and reporting; now, therefore,

8 **Be It Enacted by the People of the State of Oregon:**

9 **SECTION 1. Section 2 of this 2007 Act is added to and made a part of ORS chapter 537.**

10 **SECTION 2. (1) As used in this section, "water user" means any person who:**

11 **(a) Holds a water right permit issued under ORS 537.211 or a water right certificate is-**
12 **sued under ORS 537.250;**

13 **(b) Holds a reservoir permit issued under ORS 537.400 or a water right certificate for a**
14 **reservoir issued under ORS 537.407, or who stores water in a reservoir otherwise exempt**
15 **under ORS 537.405;**

16 **(c) Holds a ground water certificate of registration issued under ORS 537.610, a ground**
17 **water permit issued under ORS 537.625 or a ground water right certificate issued under ORS**
18 **537.630;**

19 **(d) Uses water pursuant to a registration statement filed under ORS 539.240 or holds a**
20 **water right certificate issued under ORS 539.140;**

21 **(e) Uses water under a limited license issued under ORS 537.143; or**

22 **(f) Uses water otherwise exempt under ORS 537.545.**

23 **(2) All water users shall install water measurement devices that provide for measure-**
24 **ment of the amount of water withdrawn or stored at the point of diversion and that allow**
25 **for the determination of the rate and duty of water appropriated. The requirement imposed**
26 **by this subsection is in addition to any requirement to measure the amount of water used**
27 **that is imposed pursuant to ORS 390.835, 537.099 or 540.435.**

28 **(3) Any water user required to install a water measurement device under this section**
29 **shall:**

30 **NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (a) Maintain the device in good working order for the period of water use; and

2 (b) Report water use to the Water Resources Department, in the manner prescribed in
3 rules adopted by the Water Resources Commission.

4 **SECTION 3.** (1) The requirement to install water measurement devices imposed by sec-
5 tion 2 of this 2007 Act:

6 (a) Applies on and after the effective date of this 2007 Act to water users, as defined in
7 section 2 of this 2007 Act, who first withdraw or store water on or after the effective date
8 of this 2007 Act; and

9 (b) Applies on and after January 1, 2012, to water users, as defined in section 2 of this
10 2007 Act, who first withdraw or store water before the effective date of this 2007 Act.

11 (2) Notwithstanding subsection (1) of this section, the Water Resources Commission may
12 require any water user to install water measurement devices on and after the effective date
13 of this 2007 Act.

14 **SECTION 4.** This 2007 Act being necessary for the immediate preservation of the public
15 peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect
16 on its passage.

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