

**A-Engrossed**  
**Senate Bill 194**

Ordered by the Senate April 7  
Including Senate Amendments dated April 7

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Theodore R. Kulongoski for Water Resources Department)

**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.

*[Requires Water Resources Department to implement Oregon Water Resources Department Strategic Measurement Plan. Requires Water Resources Commission to appoint water use measurement advisory committee. Requires department to report to interim legislative committees on environment and natural resources.]*

**Requires Water Resources Department to biennially report to Legislative Assembly regarding measurement of significant diversions of surface water from certain watersheds. Requires department to request public hearing on report.**

**A BILL FOR AN ACT**

1  
2 Relating to water use measurement.

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

4 **SECTION 1. (1) As used in this section:**

5 (a) **"High priority watershed" means a watershed identified by the Water Resources De-**  
6 **partment and the State Department of Fish and Wildlife as being among those watersheds**  
7 **having the greatest biological need and the greatest restoration opportunity.**

8 (b) **"Measurement" means the use of a water measuring device to determine at the point**  
9 **of diversion:**

10 (A) **The amount of surface water diverted; and**

11 (B) **The rate or the rate and duty.**

12 (c) **"Significant diversion" means a diversion of surface water:**

13 (A) **For which a permit condition requires a water measuring device;**

14 (B) **That diverts more than five cubic feet per second; or**

15 (C) **That diverts:**

16 (i) **More than 0.25 cubic feet per second; and**

17 (ii) **More than 10 percent of the lowest monthly 50 percent exceedance flow as defined**  
18 **by the Water Resources Department water availability model.**

19 (d) **"Water measuring device" means equipment installed and maintained by a water user**  
20 **that is capable of measuring at the diversion point the amount of surface water diverted.**

21 (2) **The Water Resources Department shall biennially report to the Legislative Assembly**  
22 **regarding:**

23 (a) **The number of significant diversions that are located in high priority watersheds,**  
24 **have installed water measuring devices and are measuring water; and**

**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       **(b) If the measurement of all significant diversions within high priority watersheds has**  
2 **been achieved, the number of significant diversions within this state that have installed wa-**  
3 **ter measuring devices and are measuring water use.**

4       **(3) The Water Resources Department shall biennially file with a Senate committee deal-**  
5 **ing with environmental or natural resource issues a request that the committee hold a public**  
6 **hearing to allow department testimony and public comment regarding the report.**

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