

Senate Bill 424

Sponsored by Senator GIROD; Representative GILLIAM

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**.

Exempts water rights from forfeiture provisions in certain cases. Requires that holder of water right submit affidavit to claim exemption.

A BILL FOR AN ACT

1
2 Relating to forfeiture of water rights.

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

4 **SECTION 1. Section 2 of this 2009 Act is added to and made a part of ORS 540.610 to**
5 **540.650.**

6 **SECTION 2. (1) To the extent that water is not used because the holder of a water right**
7 **engages in crop rotation or tiling, the water right is not subject to the forfeiture provisions**
8 **of ORS 540.610 to 540.650.**

9 **(2) The holder of a water right claiming an exemption under this section from the**
10 **forfeiture provisions of ORS 540.610 to 540.650 must submit an affidavit to the Water Re-**
11 **sources Department by December 31 of each calendar year establishing the extent to which**
12 **water has not been used during that calendar year because the holder of the water right**
13 **engaged in crop rotation or tiling.**

14 **(3) If the holder of a water right does not submit the affidavit, the water right is subject**
15 **to forfeiture and the period of five successive years for failure to use a water right specified**
16 **in ORS 540.610 is computed from December 31 of the calendar year the holder does not sub-**
17 **mit the affidavit.**

18 **SECTION 3. Section 2 of this 2009 Act applies to crop rotation or tiling first occurring**
19 **on or after the effective date of this 2009 Act.**

20

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.