

HOUSE AMENDMENTS TO HOUSE BILL 3165

By COMMITTEE ON ENERGY, ENVIRONMENT AND WATER

April 27

- 1 On page 1 of the printed bill, delete line 3 and insert “and declaring an emergency.”.
- 2 Delete lines 5 through 31 and delete pages 2 through 7 and insert:
- 3 **“SECTION 1. (1) As used in this section and ORS 542.110 and section 2 of this 2011 Act,**
- 4 **‘Willamette River Basin Project’ means:**
- 5 **“(a) The Fern Ridge Reservoir;**
- 6 **“(b) The Hills Creek Reservoir;**
- 7 **“(c) The Lookout Point Reservoir;**
- 8 **“(d) The Dexter Reservoir;**
- 9 **“(e) The Fall Creek Reservoir;**
- 10 **“(f) The Dorena Reservoir;**
- 11 **“(g) The Cottage Grove Reservoir;**
- 12 **“(h) The Cougar Reservoir;**
- 13 **“(i) The Blue River Reservoir;**
- 14 **“(j) The Green Peter Reservoir;**
- 15 **“(k) The Foster Reservoir;**
- 16 **“(L) The Detroit Reservoir; and**
- 17 **“(m) The Big Cliff Reservoir.**
- 18 **“(2) Subject to subsection (5) of this section, if a person files a water right transfer ap-**
- 19 **plication with the Water Resources Department to change the purpose for which water is**
- 20 **stored within the Willamette River Basin Project, the Water Resources Director shall as-**
- 21 **semble a work group of affected stakeholders and federal agency representatives for the**
- 22 **purpose of making a recommendation to the Water Resources Commission as to the appro-**
- 23 **priate use of the water.**
- 24 **“(3) The work group assembled by the director shall issue a report containing the con-**
- 25 **clusions of the work group regarding whether the application could be granted:**
- 26 **“(a) Without causing injury to existing water rights of record;**
- 27 **“(b) Without reducing the amount of natural flow, including but not limited to released**
- 28 **stored water, needed to satisfy existing natural flow surface water rights of record; and**
- 29 **“(c) While equitably providing for water needed to satisfy existing contract holders and**
- 30 **water needed for present and future in-stream and out-of-stream water needs within the**
- 31 **Willamette River basin, taking into consideration constraints on the operations of the**
- 32 **Willamette River Basin Project.**
- 33 **“(4) The department may not process an application under this section until the com-**
- 34 **mission has received and approved the report of the work group.**
- 35 **“(5) The director may not assemble a work group under this section unless the depart-**

1 ment has received sufficient funding for the work group from a public or private source.

2 **“SECTION 2.** Notwithstanding section 1 of this 2011 Act, the Water Resources Depart-
3 ment may process and grant water right transfer applications to change the purposes for
4 which water is stored within the Willamette River Basin Project without a work group being
5 assembled or reporting to the Water Resources Commission if the cumulative total amount
6 of stored water for which the purpose is changed under all applications granted by the de-
7 partment under this section is not more than 500 acre-feet.

8 **“SECTION 3.** Sections 1 and 2 of this 2011 Act apply to water right transfer applications
9 filed on or after the effective date of this 2011 Act.

10 **“SECTION 4.** Sections 1 and 2 of this 2011 Act are repealed July 1, 2017.

11 **“SECTION 5.** This 2011 Act being necessary for the immediate preservation of the public
12 peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect
13 on its passage.”.

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