

SB 1584-1  
(LC 244)  
1/25/16 (CDT/ps)

Requested by Senator BOQUIST

**PROPOSED AMENDMENTS TO  
SENATE BILL 1584**

1 On page 4 of the printed bill, line 44, after “3.” insert “Except as provided  
2 in section 4 of this 2016 Act.”.

3 On page 5, after line 2, insert:

4 **“SECTION 4. Notwithstanding ORS 537.230, for purposes of allowing  
5 and ordering an extension of time that authorizes construction or  
6 perfection under water right permit S-42117 during a period that began  
7 October 1, 1999, the Water Resources Department shall determine the  
8 undeveloped portion of the permit based upon the difference between  
9 the maximum rate or duty of water authorized by the permit and the  
10 maximum rate or duty of water diverted for beneficial use as of Oc-  
11 tober 1, 1999.”.**

12 In line 3, delete “4” and insert “5”.

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FILED: December 11, 2013

IN THE COURT OF APPEALS OF THE STATE OF OREGON

WATERWATCH OF OREGON, INC.,  
an Oregon nonprofit corporation,  
Petitioner,

v.

WATER RESOURCES DEPARTMENT,  
a state agency;  
OREGON WATER RESOURCES COMMISSION,  
a state agency;  
and THE CITY OF COTTAGE GROVE,  
an Oregon municipal corporation,  
Respondents.

Water Resources Department  
S42117

A147071

Argued and submitted on September 10, 2012.

Lisa A. Brown argued the cause and filed the briefs for petitioner.

Inge D. Wells, Senior Assistant Attorney General, argued the cause for respondents Water Resources Department and Oregon Water Resources Commission. With her on the brief were John R. Kroger, Attorney General, and Anna M. Joyce, Solicitor General.

Sean D. Kelly argued the cause for respondent The City of Cottage Grove. With him on the brief was Martin M. Fisher.

Richard M. Glick, Michael J. Gelardi, and Davis Wright Tremaine LLP filed the brief *amici curiae* for Oregon Water Utilities Council and The League of Oregon Cities.

Before Armstrong, Presiding Judge, and Duncan, Judge, and Brewer, Judge pro tempore.

ARMSTRONG, P. J.

Reversed and remanded with instructions to vacate The City of Cottage Grove's water-right certificate and to reconsider The City of Cottage Grove's permit extension request in accordance with this opinion.