



Oregon
Kate Brown, Governor

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House Committee on Energy and Environment
Representative Ken Helm, Chair

Testimony on House Bill 4016 -4 Amendment
Submitted by Racquel Rancier, Senior Policy Coordinator

The Department has no position on House Bill 4016 or the proposed amendments.

Section 1 of the -4 amendment makes it clear that the Department cannot consider water use in the past five years as a factor in determining whether a determined claim may be transferred and, if necessary, in requiring water use to cease. Section 1 applies to 2018, while section 2 replaces section 1 and goes into effect in January 2019. Section 2 of the -4 amendment removes the prohibition on considering water use in the past five years and also strikes the limiting word “only” from the section that identifies the factors that may cause the Department to cause water use to cease.

The Department interprets this to mean that for water use occurring pursuant to a transfer under this legislation, it is intended for the agency to consider water use in the past five years once section 2 goes into effect.