

HB 4069-3
(LC 205)
2/4/20 (CDT/ps)

Requested by HOUSE COMMITTEE ON WATER (at the request of Representative Ken Helm)

**PROPOSED AMENDMENTS TO
HOUSE BILL 4069**

1 In line 20 of the printed bill, after the period insert “The commission shall
2 make reporting requirements adopted by rule under this subsection applica-
3 ble only to water uses that do not have reporting requirements otherwise
4 established under a water right permit or certificate, limited license, decree,
5 order of determination, ground water registration or ORS 537.099 or
6 540.435.”.

7 After line 20, insert:

8 **“SECTION 3. (1) Notwithstanding ORS 540.610 and 540.631, if the**
9 **Water Resources Department requires an entity to report measured**
10 **use of appropriated water under section 2 of this 2020 Act, the entity’s**
11 **report of measured water use, unaccompanied by other evidence of**
12 **nonuse or partial nonuse of water, is not sufficient:**

13 **“(a) To establish a rebuttable presumption of forfeiture of all or**
14 **part of a water right;**

15 **“(b) For a Water Resources Commission determination to initiate**
16 **proceedings for the cancellation of a perfected and developed water**
17 **right;**

18 **“(c) As evidence for the commission to initiate proceedings for the**
19 **cancellation of a perfected and developed water right; or**

20 **“(d) As a basis for an order under ORS 540.641 canceling, canceling**
21 **in part or modifying the water right.**

1 **“(2) Subsection (1) of this section does not prevent the consideration**
2 **of an entity’s report of measured water use in combination with other**
3 **evidence of nonuse or partial nonuse.”.**

4 In line 21, delete “3” and insert “4” and delete “Section 2 of this 2020 Act
5 applies” and insert “Sections 2 and 3 of this 2020 Act apply”.

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