

Requested by Representative OWENS

**PROPOSED AMENDMENTS TO
HOUSE BILL 3092**

1 On page 1 of the printed bill, delete lines 4 through 22 and insert:

2 **“SECTION 1. (1) The Water Resources Department shall establish**
3 **a program for the purpose of replacing, repairing or deepening do-**
4 **mestic personal use wells that are affected by declining ground water**
5 **levels resulting from overallocation of ground water within the**
6 **Greater Harney Valley Groundwater Area of Concern.**

7 **“(2) In administering the program, the department:**

8 **“(a) May enter into contracts, intergovernmental agreements or**
9 **other arrangements with public or private entities in order to work**
10 **collaboratively to undertake the actions described in paragraph (b) of**
11 **this subsection;**

12 **“(b) May award grants for costs related to the replacement, repair**
13 **or deepening of the wells or pay the cost of direct services of a water**
14 **well constructor licensed under ORS 537.747 to perform work needed**
15 **to replace, repair or deepen the wells;**

16 **“(c) Shall develop a process for applying for a grant or payment;**

17 **“(d) May require a grantee or recipient of a payment to report to**
18 **the department on the use of the funds;**

19 **“(e) Shall biennially review the program and report to the Water**
20 **Resources Commission on program implementation and outcomes to**
21 **assess to what extent the purpose described in subsection (1) of this**

1 section is being achieved; and

2 “(f) Shall, based on the report, modify the program as necessary to
3 better achieve the purpose described in subsection (1) of this section.

4 “(3) A grant or payment described in subsection (2)(b) of this sec-
5 tion may provide:

6 “(a) Up to 75 percent of the total cost of replacing, repairing or
7 deepening the well, not to exceed \$10,000 per well for replacement, re-
8 pair or deepening; and

9 “(b) If determined by the department to be necessary as part of re-
10 placing a well, up to \$3,500 for the cost of abandoning the replaced
11 well.

12 “(4) In reviewing applications for a grant or payment, the depart-
13 ment shall:

14 “(a) Prioritize grants or payments for wells owned by or serving
15 persons of lower or moderate income;

16 “(b) Prioritize grants or payments for wells based on the severity
17 of changes and declines in ground water, as determined by the de-
18 partment; and

19 “(c) Consider other criteria determined by the department to be
20 appropriate.

21 “(5) To be eligible for funding, wells must:

22 “(a) Be domestic personal use wells affected by declining ground
23 water levels within the Greater Harney Valley Groundwater Area of
24 Concern;

25 “(b) Have served domestic personal use at a residence existing as
26 of April 15, 2016; and

27 “(c) Meet other criteria determined by the department.

28 “(6) If replacement of a well is funded in whole or in part under the
29 program, the replaced well must be abandoned.

30 “(7) The Water Resources Commission may adopt rules to imple-

1 **ment the program. The commission shall, for purposes of the program,**
2 **adopt by rule a definition for the term ‘Greater Harney Valley**
3 **Groundwater Area of Concern’ or maintain in rule a definition for the**
4 **term that the commission adopted before the effective date of this 2021**
5 **Act.**

6 **“SECTION 2. The Water Resources Department shall make the in-**
7 **itial report required by section 1 (2)(e) of this 2021 Act on or before**
8 **January 1, 2024.”.**

9 In line 23, delete “2” and insert “3”.

10 On page 2, line 3, delete “3” and insert “4”.

11 In line 6, delete “4” and insert “5”.

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