

Enrolled
House Bill 3211

Sponsored by Representative GOMBERG, Senator ANDERSON; Representatives BOICE, JAVADI, WRIGHT, Senators SMITH DB, WEBER

CHAPTER

AN ACT

Relating to water right certificates that authorize the storage of water for municipal use; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) The holder of water right certificates 21358, 48627 and 89100, which authorize the storage of water for municipal use, may apply to change the authorized point of diversion and place of use, under the process described in ORS 540.520 and 540.530, and may change the authorized point of diversion and place of use, under the process described in ORS 540.510 (1)(a), without losing priority of the right if:

- (a) The water right certificate authorizes the storage of water for municipal use; and
- (b) The dam at the authorized point of diversion has been determined by the Water Resources Department to have a high hazard rating, as defined in ORS 540.443, and to be unsafe or potentially unsafe, as defined in ORS 540.443.

(2) After making a change described in subsection (1) of this section, when constructing the resulting new dam and reservoir, the holder of the water right certificate must comply with other applicable state and federal environmental laws.

SECTION 2. Section 1 of this 2023 Act:

(1) Applies to applications filed with the Water Resources Department after the effective date of this 2023 Act and before January 1, 2026.

(2) Is repealed on January 2, 2026.

SECTION 3. This 2023 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect on its passage.

Passed by House March 16, 2023

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Timothy G. Sekerak, Chief Clerk of House

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Dan Rayfield, Speaker of House

Passed by Senate June 21, 2023

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Rob Wagner, President of Senate

Received by Governor:

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Approved:

.....M,....., 2023

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M,....., 2023

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Secretary of State