

Requested by Representative HELM

**PROPOSED AMENDMENTS TO  
HOUSE BILL 3021**

1 On page 1 of the printed bill, line 6, delete “owner” and insert “holder”.

2 In line 10, delete “appropriator” and insert “holder”.

3 On page 2, line 31, delete “owner” and insert “holder”.

4 Delete lines 36 through 42 and insert:

5 “(b) A perfected and developed water right is not subject to forfeiture  
6 under this section if the holder or user of the water right used less water  
7 on the lands to which the right is appurtenant because the holder or user:

8 “(A) Modified irrigation equipment so that the facility handling the water  
9 is capable of handling less than the entire rate and duty of the water;

10 “(B) Applied less rate or duty of the water to achieve beneficial use of  
11 the water on the lands to which the right is appurtenant; and

12 “(C) Provides information to the department demonstrating that less rate  
13 and duty was applied after the modification of irrigation equipment described  
14 in subparagraph (A) of this paragraph.

15 “(c) For a holder described in paragraph (b) of this subsection, only the  
16 amount of water beneficially used in the period of five successive years is  
17 available for transfer under ORS 540.510, 540.520, 540.530, 540.570 or  
18 540.580.”.

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