

Requested by Representative RESCHKE

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2765**

1 On page 1 of the printed bill, line 2, after “District” delete the rest of the  
2 line and line 3 and insert a period.

3 Delete lines 5 through 30 and delete page 2 and insert:

4 **“SECTION 1. (1) As used in this section, ‘South Suburban Sanitary**  
5 **District’ means the sanitary district formed under ORS 450.005 to**  
6 **450.245 to provide sanitation facilities and services to the Klamath**  
7 **Falls south suburban area.**

8 **“(2) Except as provided in subsections (3) and (4) of this section,**  
9 **treated wastewater discharged by the South Suburban Sanitary Dis-**  
10 **trict into Lake Ewauna and the Klamath River is withdrawn from**  
11 **appropriation or condemnation and may not be diverted or interrupted**  
12 **for any purpose.**

13 **“(3)(a) The district shall direct the downstream diversion of at least**  
14 **25 percent of the annual volume of treated wastewater discharged as**  
15 **described in this section for use within the Klamath Basin National**  
16 **Wildlife Refuge Complex for the benefit of fish and wildlife.**

17 **“(b) If the federal manager of the complex determines that, due to**  
18 **conditions within the complex, the complex cannot make beneficial**  
19 **use of some or all of the treated wastewater diverted to the complex**  
20 **during a particular year, the district may direct the downstream di-**  
21 **version of the excess amount as provided in subsection (4) of this**

1 section.

2 “(4) The district may direct the downstream diversion of treated  
3 wastewater not diverted under subsection (3) of this section for any  
4 use that benefits the district or people or fish and wildlife within or  
5 without the boundaries of the district.

6 “(5) The discharge of treated wastewater described in this section  
7 must comply with the requirements of a permit issued by the Depart-  
8 ment of Environmental Quality under ORS 468B.050.

9 “(6) Before treated wastewater described in this section may be used  
10 as directed by the district, the district shall file with the Water Re-  
11 sources Department a notice setting forth the following:

12 “(a) The mailing address of the district;

13 “(b) The date the use of the treated wastewater will be initiated;

14 “(c) The nature of the use of the treated wastewater;

15 “(d) The amount of treated wastewater anticipated to be used; and

16 “(e) The location and description of any ditch, canal, pipeline or  
17 other conduction facility to be used to divert the treated wastewater.

18 “(7) The provisions of ORS chapter 537 requiring application for a  
19 permit to appropriate water do not apply to the use of treated  
20 wastewater discharged by the district in compliance with this  
21 section.”.

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