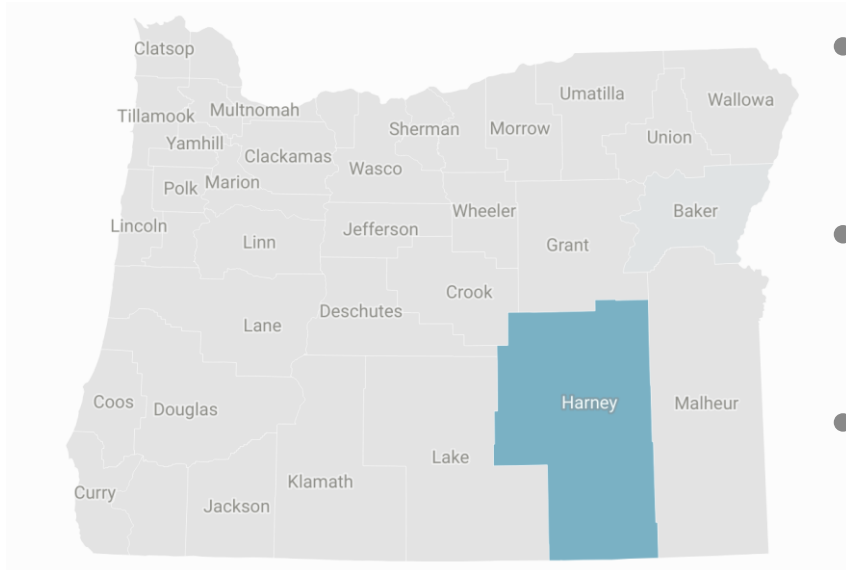
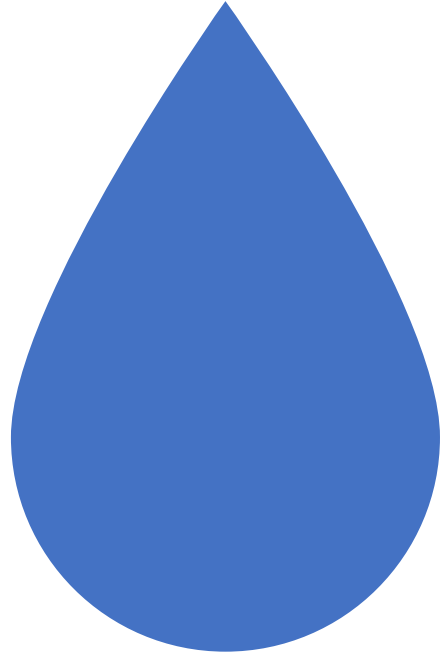


Harney Basin Problem



- OWRD is in the process of developing new rules to curtail groundwater use.
- Proposed curtailment is steep and based on forecasts and modeling.
- HB 3800 is intended to balance the need for a reasonable stable aquifer while meeting economic realities in the Harney Basin.

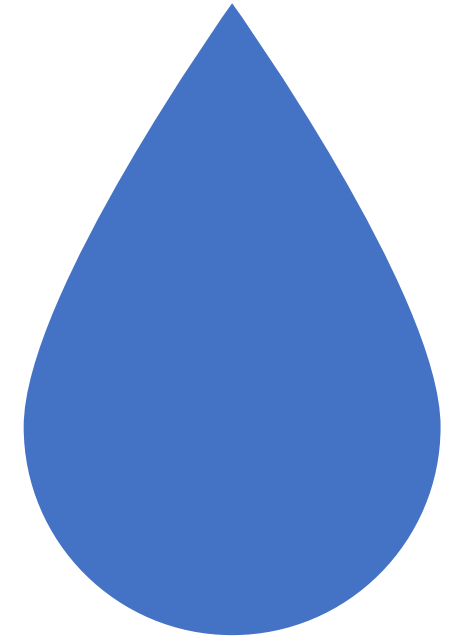


Harney Basin Community Approach to Ground Water

- HB 3800 is the legislative vehicle for creating certainty and balance in Harney Basin for groundwater users and the groundwater resource.
- The -1 Amendment will combine elements of both HB 3800 and HB 3801 (voluntary agreements).
- HB 3800 only affects the OWRD proposed Critical Ground Water Area in Harney Basin – It does not affect any place else in the state.

Amendment Outline Authorizations

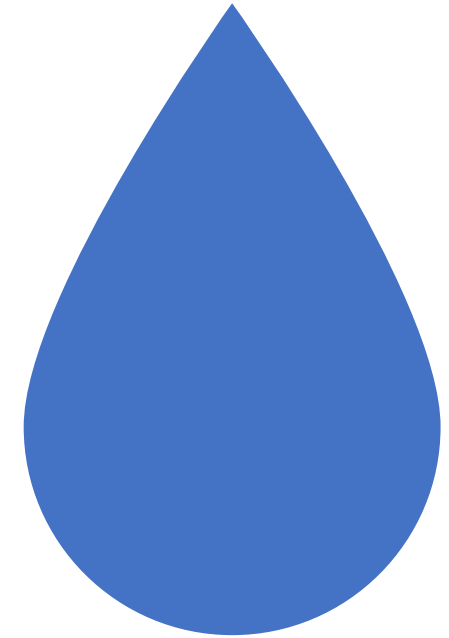
- Authorize OWRD to modify the rate of certificated water rights to reflect actual use to 1/60th cfs.
- Authorize OWRD to modify the duty to reflect average use over a four dry year period.



Amendment Outline

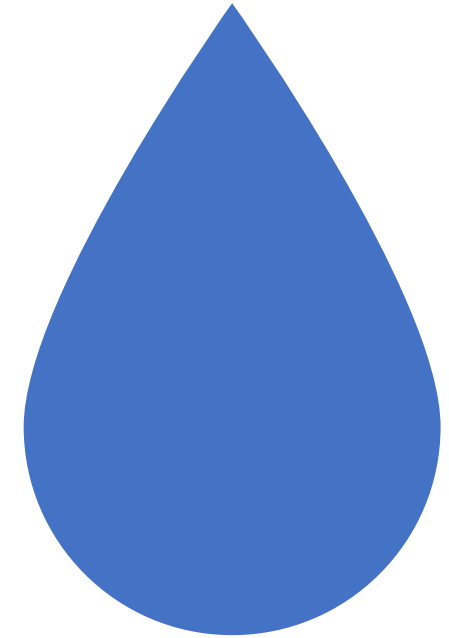
Prohibits

- Prohibit OWRD from accepting new water rights applications unless connected with a mitigation program.
- Prohibit OWRD from enforcing decline conditions.



Amendment Outline Requires

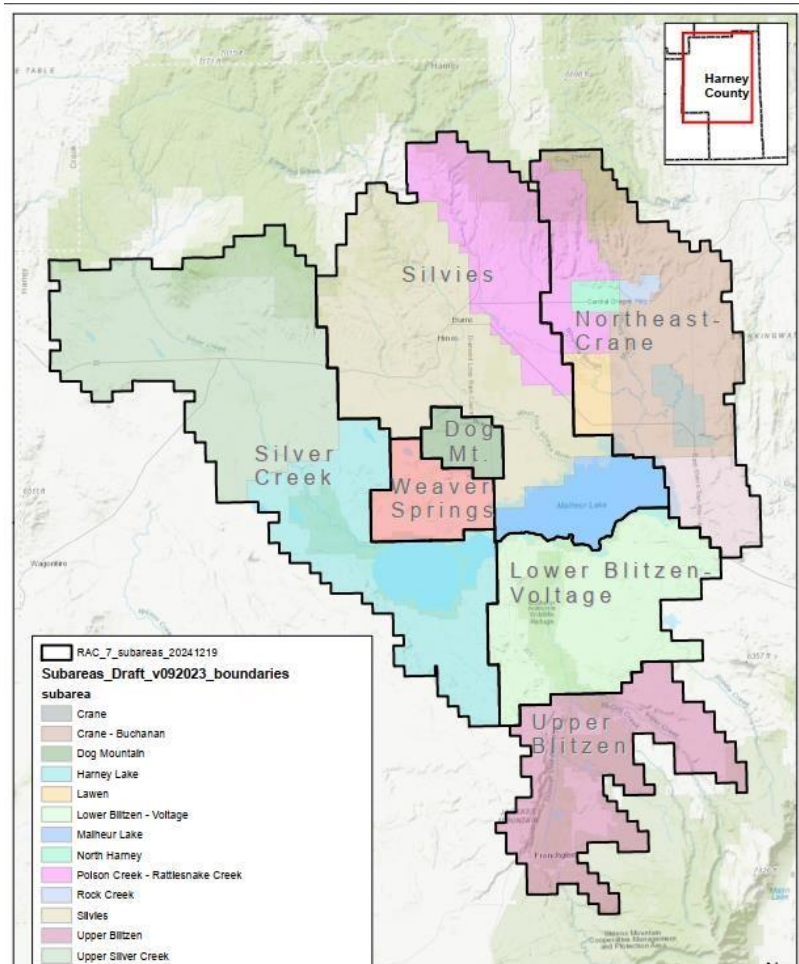
- Require OWRD to expedite permit amendments and transfer applications to correctly reflect the current location of points of appropriation if in a subarea.
- Require OWRD to:
 - Identify groundwater use
 - Cancel groundwater rights that are subject to cancellation under ORS 540.631 by January 1, 2028
 - Adopt rules for adaptive management
 - Provide annual data and reporting trends of ground water levels
 - Establish a local water advisory committee
 - Create a mitigation program
- Requiring OWRD to deny extension applications for development of additional groundwater unless the amendment is to modify the location of points of appropriation or reflect current locations

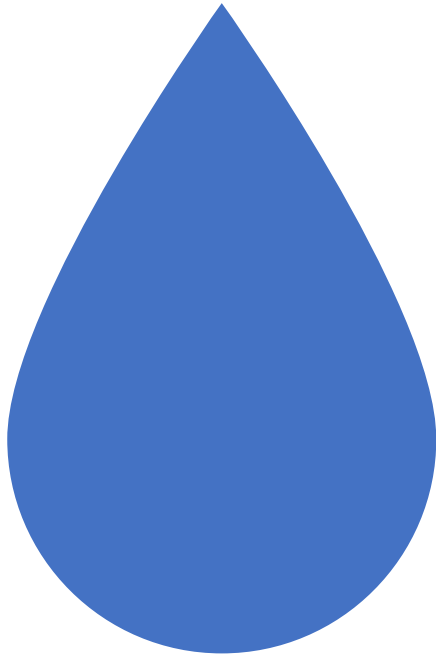


Amendment Outline Direction

Divide the Harney Basin Groundwater Management Area into seven subareas

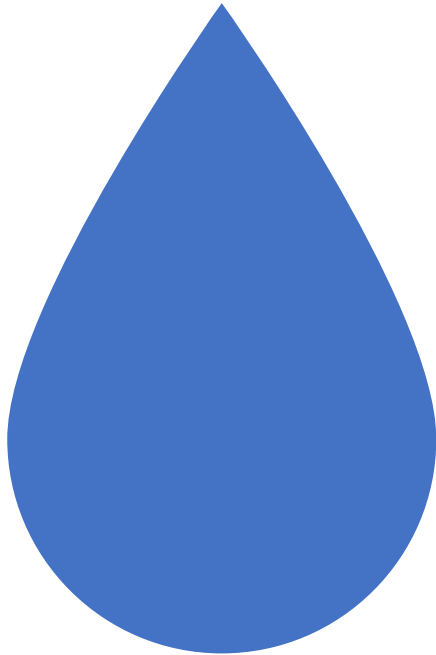
- Dog Mountain Sub area
- Lower Blitzen Sub Area
- Northeast Crane Sub Area
- Upper Blitzen Sub Area
- Silver Creek Sub Area
- Silvies Sub Area
- Weaver Springs Sub Area





Amendment Outline Establish

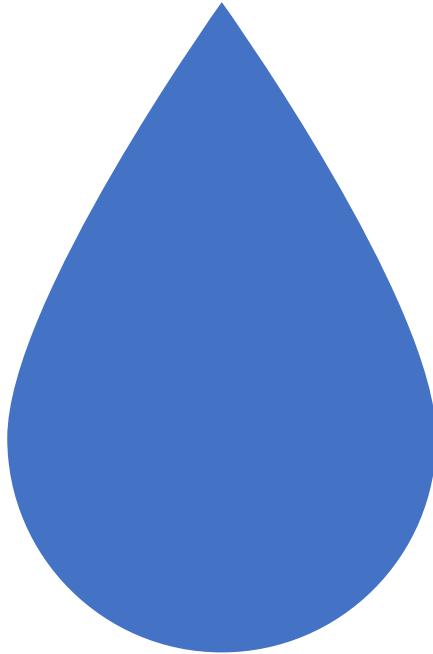
- Establish permissible total withdrawal (PTW) for each subarea. The PTW values are intended to reflect the need to reduce groundwater use and balance the economic realities of the community.
- Establish off ramps from both PTW or the individual water allocation caps if there's significant economic hardship to the community or if the groundwater resource is recovering.
- Establish that no regulation can occur until the average of the monitored irrigation wells in the subareas has declined at least 25 feet.



Goal of Community approach to Ground Water Management

- To establish the new equilibrium of reasonably stable within 30 to 40 years. Work with the OWRD to develop non regulatory programs to achieve the additional reductions that might need to occur.
- If the OWRD determines that any subarea is not on track to reach reasonably stable and has implemented non regulatory programs by 2050 they may lower the total PTW in those subareas by an additional 25%.

Voluntary Agreements



- **ORS 537.745**
Voluntary agreements among ground water users from same reservoir.
- The Water Resources Commission may encourage, promote and recognize voluntary agreements among ground water users from the same ground water reservoir. When the commission finds that any such agreement, executed in writing and filed with the commission.