

**HB 3372 B STAFF MEASURE SUMMARY****Carrier:** Sen. Prozanski**Senate Committee On Natural Resources and Wildfire****Action Date:** 05/08/25**Action:** Do pass with amendments to the A-Eng bill. (Printed B-Eng.)**Vote:** 5-0-0-0**Yeas:** 5 - Girod, Golden, Nash, Prozanski, Taylor**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Alexa Piscanio, LPRO Analyst**Meeting Dates:** 4/29, 5/8**WHAT THE MEASURE DOES:**

The measure expands the types of exempt water uses from a domestic well to include watering a commercial garden not exceeding one-half acre in size and limits all types of exempt water uses for lawn and garden watering to up to 3,000 gallons of water per day. It also specifies that the existing limit for combined water usage for both industrial and commercial purposes does not include water for a lawn or commercial garden. The measure defines “commercial garden” and excludes locations where cannabis plants in the family Cannabaceae are grown, unless grown by a licensed person. Commercial gardens in the Lower Umatilla Basin Groundwater Management Area are not eligible for the measure’s expanded water use exemptions; this restriction sunsets on January 2, 2028.

**ISSUES DISCUSSED:**

- History of the Water Resources Department's enforcement of water use restrictions for commercial gardens
- Timeline of agency interpretation of authority and enforcement
- Water use measurement process

**EFFECT OF AMENDMENT:**

The amendment modifies the definition of "commercial garden" to exclude locations where cannabis plants in the family Cannabaceae are grown, unless grown by a licensed person. It also specifies that commercial gardens in the Lower Umatilla Basin Groundwater Management Area are not eligible for the measure’s expanded water use exemptions. This restriction sunsets on January 2, 2028.

**BACKGROUND:**

In Oregon, all water belongs to the public and may be appropriated for use under a permit issued by the Oregon Water Resources Department (OWRD). Certain water uses - called "exempt water uses" - do not require a permit or license from OWRD. Water uses exempt from the permitting process include domestic use, stock watering, irrigation of lawn and/or a non-commercial garden of no more than one-half acre, single industrial or commercial processes that do not involve plant growth, watering school grounds, and using water for closed geothermal systems. An exempt use is subject to the same privileges and restrictions as any water right permit or certificate holder. Oregon has approximately 230,000 exempt-use wells, with approximately 3,800 new ones drilled annually.