

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 5 - 0 - 0

Yeas: Atkinson, Bates, Beyer, Prozanski, Avakian

Nays: 0

Exc.: 0

Prepared By: Sue Marshall, Administrator

Meeting Dates: 5/03

WHAT THE MEASURE DOES: Extends sunset on authority for split use leasing of all or a portion of a water right for in-stream use until January 2, 2014.

ISSUES DISCUSSED:

- History of in-stream water right leasing and split use leasing laws
- Existing protections for other water right holders
- Whether the sunset would discourage participation in split use leasing

EFFECT OF COMMITTEE AMENDMENT: Extends the sunset to January 2, 2014 rather than removing it.

BACKGROUND: The 2001 Legislative Assembly authorized the split season lease of all or a portion of a water right for use instream. This authorization allows the use of both the existing water right and the leased, in-stream right during the same season or calendar year, provided the uses are not concurrent and the holder of the water right measures and reports their water use to the Water Resources Department. There are currently eight water right holders participating in the program from the Deschutes, Rogue and Willamette river basins. This authority is scheduled to sunset on January 2, 2008; House Bill 2097 extends the sunset on split use water right leasing until January 2, 2014.