

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action: Without Recommendation as to Passage and Be Referred to the Committee on Ways and Means
by Prior Reference

Vote: 3 - 2 - 0

Yeas: Hass, Prozanski, Dingfelder

Nays: Atkinson, Boquist

Exc.: 0

Prepared By: Beth Herzog, Administrator

Meeting Dates: 4/2, 4/23

WHAT THE MEASURE DOES: Requires Water Resources Department (WRD) to charge an annual fee of \$100 to the holder of a water right set forth in a permit, certificate, or limited license other than an in-stream water right. Makes failure to pay the annual fee grounds for cancelling or revoking a water right. Designates that proceeds of the fee will be deposited into the Water Resources Department Water Right Operating Fund.

ISSUES DISCUSSED:

- WRD funding is comprised of 70 percent General Fund and 30 percent fee revenue
- Stability for funding WRD
- Impact of fee on water right holders

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Under Oregon law, all water is publicly owned. With some exceptions, cities, farmers, factory owners and other users must obtain a permit or water right from the WRD to use water from any source, whether it is underground, or from lakes or streams. Landowners with water flowing past, through, or under their property do not automatically have the right to use that water without a permit from WRD. Water rights are obtained in a three-step process. The applicant first must apply to WRD for a permit to use water. Once a permit is granted, the applicant must construct a water system and begin using water. When water is applied, the permit holder must hire a certified water rights examiner to complete a survey of water use and submit to WRD a map and report detailing how and where water is being applied. If water has been used according to the provisions of the permit, a water right certificate is issued based upon the report findings. There are over 82,500 existing water rights in Oregon.