

**REVENUE: No revenue impact**

**FISCAL: Minimal fiscal impact, no statement issued**

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<b>Action:</b>	Do Pass the A-Engrossed Measure
<b>Vote:</b>	5 - 0 - 0
<b>Yeas:</b>	Hass, Olsen, Prozanski, Thomsen, Dingfelder
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Beth Patrino, Administrator
<b>Meeting Dates:</b>	5/17

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**WHAT THE MEASURE DOES:** Expands list of persons who may apply to Water Resources Commission for water right exchange permit to include those holding permits issued under ORS 537.135 for recharging ground water within Umatilla Basin. Specifies that, for application for exchange for recharging ground water within Umatilla Basin, it will be satisfactory evidence that proposed exchange will result in no net loss of flow in Umatilla River.

**ISSUES DISCUSSED:**

- Umatilla Basin Aquifer Recovery Project
- Current law requires water right certificate to exchange water

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** In response to declining aquifers and water shortages, the Umatilla Basin Aquifer Recovery Project was developed to divert surface water during high flows to recharge aquifers. County Line Water Improvement District (CLWID) has a certificated water right to withdraw water from the Umatilla River and operate a groundwater recharge project. Echo Meadows is in the planning phase of establishing a groundwater recharge program and plans to apply for a water right permit to divert water from the Columbia River. CLWID is closer to the Columbia River than Echo Meadows and Echo Meadows is closer to the Umatilla River than CLWID. If CLWID and Echo Meadows were authorized to exchange water, they could save both infrastructure and operating costs.

Current law allows a certificated water holder to substitute one source of water for another but does not allow water withdrawn under a permit to be exchanged unless it is a permit for an instream use or a permit for which proof of the beneficial use has been approved. Permits for groundwater recharge are not authorized under the current version of ORS 540.533, the statute governing water exchanges. House Bill 2134A would allow CLWID and Echo Meadows to apply to the Water Resources Commission to complete their proposed exchange.