

REVENUE: No revenue impact

FISCAL:

SUBSEQUENT REFERRAL TO:

Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: Erin Seiler, Administrator

Meeting Dates: 6/16

WHAT THE MEASURE DOES: Provides definition for determining undeveloped portion of water right for municipal use. Modifies conditions for issuing extension of time to perfect water right for municipal use. Prohibits granting of water right certificate if legal status of extension of time required to perfect water right is not final.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT:

-1 amendment: Adds emergency clause.

-2 amendment: Replaces measure. Defines “undeveloped portion of the permit” and extends time for putting water to beneficial use in determining such portion. For municipal groundwater and surface water permits, modifies conditions for issuing extension of time to perfect permit. Removes provision in introduced measure prohibiting granting of water right certificate if legal status of time extension required to perfect water right is not final.

BACKGROUND: A municipality must obtain a water right permit from Water Resources Department (WRD) before it can divert and use surface water or groundwater. Under a permit, a municipality has 20 years to complete construction of the facilities necessary to divert and use the water for the authorized uses (known as “perfection” of the right). After a municipality submits evidence showing the water has been used in compliance with permit conditions, WRD issues a water right certificate and the municipality then has a vested water right. Under current law, WRD may grant an extension to a municipal use permit holder to allow more time to complete construction or to perfect its water right with certain conditions.