

STAFF MEASURE SUMMARY**Senate Committee On Environment and Natural Resources****Fiscal:** Fiscal impact issued**Revenue:** No Revenue Impact**Action Date:** 04/20/15**Action:** Without Recommendation As To Passage And Be Referred To Rules.**Meeting Dates:** 03/16, 04/20**Vote:**

Yeas: 5 - Dembrow, Edwards, Olsen, Prozanski, Thomsen

Prepared By: Beth Reiley, Committee Administrator

WHAT THE MEASURE DOES:

Requires Water Resources Department (WRD) approval of water management and conservation plan to allow diversion of undeveloped portion of permit under extension of time to complete construction or perfect water right for municipal use beyond 20 years. Applies to first extension of time issued after June 29, 2005 for permit issued before 1998. Defines “undeveloped portion of permit.”

ISSUES DISCUSSED:

- Timeline to demonstrate full use of permit
- Effect of Court of Appeals decision on interpretation of permit extension statutes

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

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.

Senate Bill 712 would allow the diversion of the undeveloped portion of a permit under an extension of time to complete the construction or to perfect the water right for a municipal use beyond 20 years under certain circumstances.