

REVENUE: No revenue impact

FISCAL: May have fiscal impact, statement not yet issued

SUBSEQUENT REFERRAL TO:

Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: Erin Seiler, Administrator

Meeting Dates: 2/25

WHAT THE MEASURE DOES: Changes water management and conservation plan approval condition for extension of time to construct works or perfect right for municipal use of water. Declares emergency, effective on passage.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT:

3 amendment: Changes definition of “undeveloped portion of the permit” mean portion of water right permit that is difference between maximum rate or duty of water authorized by permit and maximum rate or duty of water diverted for beneficial use as of the later of December 11, 2010.

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 1584 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 under certain circumstances. The extension applies to first extension of time issued after June 29, 2005 for permit issued before 1998.