

Background

In 2003, the Legislative Assembly authorized a pilot project allowing three irrigation districts to make annual place of use changes to water rights within their legal boundaries without making application to the Water Resources Department for a temporary transfer.

Between the 2003 and 2007 legislative sessions, only a small number of transfers were completed and there was insufficient data to assess the pilot. The program was extended in 2007, providing an additional two years for the three districts to test the approach. After showing some success, in 2009, the program was extended to 2016 and expanded to include 15 districts. In 2015, Senate Bill 267 made some adjustments to the program, extended the sunset to January 2, 2022, and required a report to the Legislature by January 31, 2021.

The pilot project is intended to provide increased flexibility for irrigation districts to temporarily change the place of use of water rights without reducing protections for existing water users. To temporarily change the place of use of water rights under the pilot program, districts are required to satisfy standard water right transfer criteria and maintain records. This includes ensuring that there is no injury to other water rights or an expansion of the authorized irrigated acres.

What the bill does

The Department proposes to extend the program to January 2, 2030. Current information shows the pilot project is providing the districts with more management flexibility, while also ensuring that other water users are protected. The Department is recommending continuation of the pilot project to further assess its implementation. This concept has a minimal fiscal impact.

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