

Senate Bill 903

Sponsored by Senator BENTZ

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Makes right to use of stored water established by certificate, primary permit or secondary permit type of water use subject to transfer.

A BILL FOR AN ACT

Relating to water uses subject to transfer; amending ORS 540.505.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 540.505 is amended to read:

540.505. As used in ORS 540.505 to 540.585:

(1) "District" means an irrigation district formed under ORS chapter 545, a drainage district formed under ORS chapter 547, a water improvement district formed under ORS chapter 552, a water control district formed under ORS chapter 553 or a corporation organized under ORS chapter 554.

(2) "Primary water right" means the water right designated by the Water Resources Commission as the principal water supply for the authorized use, or if no designation has been made, the water right designated by the applicant as the principal water supply for the authorized use.

(3) "Supplemental water right or permit" means an additional appropriation of water to make up a deficiency in supply from an existing water right. A supplemental water right or permit is used in conjunction with a primary water right.

(4) "Water use subject to transfer" means a water use established by:

(a) An adjudication under ORS chapter 539 as evidenced by a court decree;

(b) A water right certificate;

(c) A water use permit for which a request for issuance of a water right certificate under ORS 537.250 has been received and approved by the Water Resources [*Commission*] **Department** under ORS 537.250; [*or*]

(d) A transfer application for which an order approving the change has been issued under ORS 540.530 and for which proper proof of completion of the change has been filed with the Water Resources Commission[.]; **or**

(e) **A certificate, primary permit or secondary permit issued under ORS 537.400.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.