

HB 3103 -1 STAFF MEASURE SUMMARY

House Committee On Water

Prepared By: Allison Daniel, LPRO Analyst

Meeting Dates: 3/18

WHAT THE MEASURE DOES:

Authorizes holder of water right certificate that allows water storage to change the use, place of use, and point of diversion, or the use of the water without losing priority of water right.

May have fiscal impact, but no statement yet issued.

May have revenue impact, but no statement yet issued.

No subsequent referral.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Changes “allows” to “authorizes.” Specifies that only the type of use identified in water right certificate may be changed.

BACKGROUND:

Under ORS 537.120, right of appropriation, all waters within the state of Oregon may be appropriated for beneficial use and any person intending to acquire the right to beneficial use must apply for a permit with the Oregon Water Resources Department (OWRD). If a water right holder wishes to transfer the point of appropriation, type of use, or place of use, they must submit a transfer application to OWRD. To approve a transfer application, OWRD must determine that the proposed change will not enlarge the water right and will not injure other water rights.

House Bill 3103 would authorize the holder of a water right certificate allowing water storage to change the use of the water without losing priority of the water right.