

HB 3103 -4 STAFF MEASURE SUMMARY

House Committee On Water

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Meeting Dates: 3/18, 4/8, 4/13

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.

ISSUES DISCUSSED:

- History of transferring rights to use and to store water
- Water Resources Department's criteria for transfers of use
- Need for continued stakeholder engagement

EFFECT OF AMENDMENT:

-4 Directs Water Resources Commission (Commission), for the purpose of finding stakeholder agreement on transfers of stored water, to: engage professional facilitation services; seek and retain a senior lead facilitator with subject matter expertise and a junior support facilitator; hold six to 12 meetings with at least 20 diverse stakeholders between the effective date of this Act and June 30, 2023; and design a process for stakeholder meetings, including conducting stakeholder interviews and research before meetings. Appropriates \$485,100 to the Commission for these purposes.

FISCAL: Impact statement issued.

REVENUE: No revenue impact.

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 (WRD). 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 WRD. To approve a transfer application, WRD must determine that the proposed change will neither enlarge the water right nor 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.