

HB 4006 STAFF MEASURE SUMMARY

House Committee On Agriculture, Land Use, Natural Resources, and Water

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Meeting Dates: 2/9

WHAT THE MEASURE DOES:

The measure authorizes certain Columbia River water right holders to change the point of diversion between river miles 252 and 303 on the Columbia River or use their rights on non-appurtenant land under specified conditions. It allows the Mid-Columbia Water Commission to participate in water rights re-mapping and requires a 10-year report to the Legislative Assembly on the measure's effects.

Detailed Summary

- Authorizes water right permit holders to change the point of diversion, use a water right on land to which the right is not appurtenant, or change water use under the following conditions:
 - The beneficial use of the water right is for irrigation, including shoulder-season and winter irrigation
 - All points of diversion, those named in the original water right permit and those where water is diverted to for irrigation, are between river miles 252 and 303 on the Columbia River
 - There is no increase in the rate or season of water use
- Exempts water distribution from irrigation systems owned or controlled by intergovernmental entities from the statutory dispute-resolution and cost-allocation framework when the point of diversion is between Columbia River miles 252 and 303, and instead places distribution under the control of the entity's governing board unless the watermasters involvement has been requested by the district or intergovernmental entity
- Allows the Mid-Columbia Water Commission (or successor) to re-map location and use of water rights within the irrigation district (district) or any part thereof for Columbia River diversions between river miles 252 and 303 if it notifies the Oregon Water Resources Department and files an application by June 30, 2027, and June 30, 2028 respectively despite prior time limits
- Authorizes the district to, during re-mapping, adjust boundaries to include non-assessed or non-irrigable lands, and clarifies that owners of those lands do not gain voting, membership, or water-rights adjustment rights or obligations if the district meets certain notification requirements
- Directs the Mid-Columbia Water Commission (or successor) to annually, for a period of ten years, report to a water related interim committee of the Legislature that includes:
 - Number of properties newly served by regional water systems
 - Acre-feet of groundwater use avoided due to the changes
 - Benefits from shared infrastructure and integrated water use

FISCAL: May have fiscal impact, but no statement yet issued

REVENUE: May have revenue impact, but no statement yet issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

In Oregon, all water belongs to the public and may be appropriated for beneficial use under a permit issued by the Oregon Water Resources Department. The use of water under a water right is restricted to the terms and conditions described in the water right certificate: place of use, point of diversion or appropriation, and type of

use which generally cannot be changed without the filing of a transfer application. The Mid-Columbia Water Commission was established in 2019 to oversee mitigation rights, manages water use assessments, and administers water programs in the Mid-Columbia region.

PRELIMINARY