

HB 2144 STAFF MEASURE SUMMARY

House Committee On Water

Prepared By: Allison Daniel, LPRO Analyst

Meeting Dates: 3/18

WHAT THE MEASURE DOES:

Directs Water Resources Department to study laws relating to transfers of water rights for water storage and to report findings and recommendations related to transfers of water rights to interim committee no later than September 15, 2022.

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:

No amendment.

BACKGROUND:

A water right is connected to the land where it is used, specifying the quantity of water, point of diversion, place of use, type of use, season of use, and priority date. A water right may be transferred from one place to another, the point of diversion may be changed, and the type of use allowed under the right may be changed by applying to the Oregon Water Resources Department (OWRD). A transfer application will be approved if OWRD determines that the change can be made without injury to other water rights or enlargement of the original right. In 2018, the Department of Justice issued a memo concluding that, with some exceptions, state law does not authorize OWRD to allow changes to a right to store water.

House Bill 2144 would direct WRD to study laws relating to transfers of rights to store water.