HB 3211 A   STAFF MEASURE SUMMARY

Senate Committee On Natural Resources

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Meeting Dates:	4/5, 4/26

WHAT THE MEASURE DOES:

Authorizes holder of water right certificate 21358, 48627 and 89100 to change the authorized point of diversion and place of use without losing priority of the right if the following conditions are met: the water right certificate authorizes the storage of water for municipal use; and the dam at the authorized point of diversion has been determined to be unsafe or potentially unsafe and to have a high hazard rating. Requires the holder of the water right certificate to comply with other applicable state and federal environmental laws when constructing the resulting new dam and reservoir. Specifies that requirements apply to applications filed after the effective date of the Act and before January 1, 2026. Declares emergency, effective on passage.

FISCAL: Has minimal fiscal impact
REVENUE: No revenue impact
HOUSE VOTE: 55-0-0-3-2

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The use of water under a water right is restricted to the terms and conditions described in the water right certificate including the place of use, point of diversion, and type of use. In the context of this measure, the point of diversion refers to a dam location and the place of use is the footprint of the associated reservoir. It is unclear if current statute allows the replacement of a dam in a location that differs from its original point of diversion without violating the terms and conditions of the underlying water right.

Water right certificates 21358, 48627, and 89100 refer to water rights held by the City of Newport, Oregon, which authorize the storage of water for municipal use.

House Bill 3211 A would authorize the holder of specific water right certificates for municipal water storage to change the authorized point of diversion and place of use without losing priority of the right under certain conditions.