

Water Resources Department Legislative Concepts January 2005

***HB 2083** (Regulatory Streamlining – Eliminate Regulations)

- (a) Eliminate the provision under ORS 537.330(2) that requires a “seller” to notify the Department of a real estate transaction that involves a water right – *this requirement adds paper work to real estate transactions that is seldom used and generally unreliable. New technology such as digital assessor databases makes this requirement obsolete.*
- (b) Eliminate ORS 537.788 which requires recording of well information on property deed records – *eliminates a burdensome and costly requirement without diminishing resource protection.*
- (c) Eliminate ORS 537.015 to 537.032 regarding Water Use Registrations – *this process was developed in 1993 to facilitate restoration projects that were being held up due to a water right process backlog. New statutory timelines and tools make this burdensome and little used process obsolete.*

HB 2123 (Regulatory Streamlining – Water Use Transfers)

- (a) Modify ORS 540.531(2) regarding surface water to ground water transfers by clarifying that the ground water can be developed from various types of aquifers - *provides more opportunity for these types of transfers without diminishing resource protection.*
- (b) Provide for the modification of un-adjudicated Ground Water Registrations – *provides for the opportunity to modify pre 1955 ground water use claims prior to a basin ground water adjudication.*
- (c) Remove sunset from ORS 540.530 which provides for consent to injury associated with a proposed water right transfer – *provides greater flexibility to modify existing water rights without diminishing protection to existing users and the resource.*

***HB 2178** (Regulatory Streamlining – Use of Stored Water)

Provide for an expedited process to obtain a permit to use stored water – *recognition that this type of water use from an existing storage facility has low probability of harm to the environment or existing water users. Expedites the process without eliminating the opportunity for public participation.*

***HB 2186** (Regulatory Streamlining – Alternative Service Delivery)

Remove sunset from Reimbursement Authority (HB 2551, 2003 Oregon Laws). Associated Policy Package for “Contract Management Position” funded by Other funds – *provides an opportunity for applicant to pay the cost for expedited processing of request using contracted service delivery.*

***SB 179** (Regulatory Streamlining - Electronic Submittal)

Provides the Water Resources Commission the authority to reduce fees for material submitted in a digital format. Such material could include fees, applications and well construction “start cards.” - *gives the Water Resources Commission the authority to provide incentives that will streamline the application and start card processes.*

SB 185 Instream Leasing

Clarify under ORS 540.610 that when a primary water right is leased instream the “forfeiture clock” for the supplemental water right is tolled – *provides certainty about the status of underlying supplemental water rights.*

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