

DNRC Proposed Water Resource Division Bills

2017 Legislative Session

Revise temporary water lease statute

Revise the temporary water lease statute from 2013 to eliminate the sunset and make it more useful during times of drought. Revisions may replace the need to include an adverse effect plan, clarify when and how a temporary lease could be used, and make the public notice provisions mirror other water right notice provisions. The bill would not change the existing provisions requiring that a lessor prove that the lease will not cause an adverse effect if an objection is received.

Revise salvage water and water conservation definitions

This bill would clearly define both salvage water and water conservation for water rights purposes. The bill would make it clear to water right holders and the DNRC when and how they can salvage water and how they can use conserved water.

Revise exempt claim filing process

In 2013, SB 355 created a process to file exempt water right claims. In 2015, SB 37 was proposed by WPIC to revise that exempt claim filing process including setting a deadline and requiring statewide public notice. SB 37 was not funded and was vetoed. This bill would bring back SB 37 but set a February 29, 2019 deadline for filing exempt claim. This bill would not require an appropriation for public notice because notice would occur during FY 17.

Revise water right abandonment statutes for drought plans

This bill would make it clear that participation in a drought plan during a drought designation cannot by itself establish the intent to abandon a water right. This bill is designed to promote participation in local drought plans by eliminating the fear that water right holders might put their water rights at risk of abandonment if they agree to decrease the amount of water they will use during a drought.