

Water Right Transition Assistance Program—Amendments; HB 2517

HB 2517 extends the Water Right Transition Assistance Program (WaterTAP), for which the pilot program was set to expire on June 30, 2012. The program was designed to permanently retire all or portions of irrigation water rights. The bill establishes a new sunset date for the program of July 1, 2022.

In addition, the bill:

- Provides that permanent retirement of partial water rights will be approved only when the local groundwater management district (GMD) has the metering and monitoring capabilities to ensure compliance;
- Provides that the application for permanent water right retirement will be prioritized based on the following:
 - The applicant's bid price;
 - The timing and extent of the impact of the application on aquifer restoration or stream recovery; and
 - The impact on local water management strategies designated by the board of the local GMD or the Chief Engineer (water rights with similar hydrologic impacts would be based on seniority of the water right [current law]);
- Clarifies the target areas as those designated by the GMD districts and the Chief Engineer and eliminates specific target areas (Prairie Dog Creek and Rattlesnake Creek) established in the law for the pilot water right transition assistance program;
- Requires that target areas are to be in areas closed to further appropriation of water by the Chief Engineer;
- Requires that only vested or certified water rights which are in good standing will be eligible for water right retirement grants; and
- Establishes a formula for calculating the historic consumptive water use of a water right.