

---

---

# A BILL FOR AN ACT

RELATING TO WATER RIGHTS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 SECTION 1. Section 171-58, Hawaii Revised Statutes, is  
2 amended by amending subsection (c) to read as follows:  
3 "(c) Disposition of water rights may be made by lease at  
4 public auction as provided in this chapter or by permit for  
5 temporary use on a month-to-month basis under those conditions  
6 which will best serve the interests of the State and subject to  
7 a maximum term of one year and other restrictions under the law;  
8 provided that where an application has been made for a lease  
9 under this section to continue a previously authorized  
10 disposition of water rights, a holdover may be authorized for a  
11 holdover period until such time as the pending application for  
12 the disposition of such water rights is finally resolved, even  
13 if such holdover period may exceed one year; provided further  
14 that any disposition by lease shall be subject to disapproval by  
15 the legislature by two-thirds vote of either the senate or the  
16 house of representatives or by majority vote of both in any  
17 regular or special session next following the date of



1 disposition; provided further that after a certain land or water  
2 use has been authorized by the board subsequent to public  
3 hearings and conservation district use application and  
4 environmental impact statement approvals, water used in  
5 nonpolluting ways, for nonconsumptive purposes because it is  
6 returned to the same stream or other body of water from which it  
7 was drawn, essentially not affecting the volume and quality of  
8 water or biota in the stream or other body of water, may also be  
9 leased by the board with the prior approval of the governor and  
10 the prior authorization of the legislature by concurrent  
11 resolution."

12 SECTION 2. New statutory material is underscored.

13 SECTION 3. This Act shall take effect upon its approval  
14 and shall apply to all pending and future applications before  
15 the board of land and natural resources for the disposition of  
16 water rights.



**Report Title:**

Water Rights; Holdover

**Description:**

Allows for a holdover disposition of water rights previously authorized pursuant to a lease during the pendency of an application for a lease renewal. (HB2501 HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

