

1 **SHB 1115 - H AMDS 195 ADOPTED 3-14-97**

2 By Representative Mastin

3 On page 8, line 13, after RCW 43.21B.310" strike or- and
4 insert . Any party to such an appeal-

5 On page 8, line 24, after right;- insert and-

6 On page 8, line 27, after water- strike everything down to
7 and including RCW- on line 32

8 On page 9, line 2, after the- strike petitioner resides- and
9 insert project under review is located-

10 On page 9, line 3, after telephone- insert at the discretion
11 of the mediator-

12 On page 9, line 4, after in the- strike mediation- and
13 insert informal hearing-

14 On page 9, line 4, after mediator- insert and the other
15 parties-

16 On page 9, line 6, after issues- insert and supporting
17 documentation-

18 On page 9, line 13, after case- insert unless the hearings
19 board finds that the settlement agreement is contrary to law.

20 If the hearings board finds that the settlement agreement is
21 contrary to law, it shall notify the parties and refer the dispute
22 back to mediation. The parties may elect for further mediation or
23 for fact finding with recommendations in accordance with subsection
24 (3) of this section.-

25

26 On page 9, line 15, after within- strike fourteen- and
27 insert thirty-

1 On page 9, line 15, after appointed,- insert the mediator
2 shall issue a statement that a mutually acceptable settlement
3 agreement has not been reached. After the issuance of the
4 statement,-

5 On page 9, line 18, after other- strike party- and insert
6 parties-

7 On page 9, line 26, after hearing.- insert The date of the
8 hearing must be set within thirty days of the appointment of the
9 fact finder.-

10 On page 9, line 27, after the- strike petitioner resides-
11 and insert project under review is located-

12 On page 9, line 29, after other- strike party- and insert
13 parties-

14 On page 9, line 36, after other- strike party- and insert
15 parties-

16 On page 10, line 4, after presumption- strike everything down
17 to and including recommendations- on line 6 and insert as part of
18 the findings of fact or recommendations which presumes that an
19 action will not impair the rights of a senior water right holder-

20 On page 10, line 15, after appeal- insert the water quantity
21 decision-

22 On page 10, line 18, after in- strike everything down to and
23 including plan- and insert where the land is located upon which
24 the water is or would be used-

25 On page 10, line 35, after director- strike everything down
26 to and including order- on page 11, line 2

27 On page 11, after line 5, insert the following:

1 NEW SECTION. **Sec. 15.** If any provision of this act or its
2 application to any person or circumstance is held invalid, the
3 remainder of the act or the application of the provision to other
4 persons or circumstances is not affected.-