

HOUSE BILL REPORT

HB 3060

As Passed House:
February 13, 1998

Title: An act relating to sufficient cause for nonuse of water rights.

Brief Description: Changing provisions relating to sufficient cause for nonuse of water rights.

Sponsors: Representative Chandler.

Brief History:

Committee Activity:

Agriculture & Ecology: 2/5/98 [DP].

Floor Activity:

Passed House: 2/13/98, 96-0.

HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

Majority Report: Do pass. Signed by 11 members: Representatives Chandler, Chairman; Parlette, Vice Chairman; Schoesler, Vice Chairman; Linville, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Cooper; Delvin; Koster; Mastin; Regala and Sump.

Staff: Bill Lynch (786-7092).

Background: If a person abandons or voluntarily fails to use beneficially all or any part of the person's water right for five successive years, the right or portion unused is relinquished and reverts to the state. (RCW 90.14.160 through 90.14.180.) A number of exemptions from this relinquishment requirement are listed by statute. (RCW 90.14.140.) A procedure has been established under which the Department of Ecology may determine and the Pollution Control Hearings Board may confirm that a water right has reverted to the state for nonuse. (RCW 90.14.130.)

Summary of Bill: A water right is not relinquished for five successive years of non-use if:

- the use of the right is precluded or reduced by federal or state agency leases of or options to purchase lands or water rights; or

- the right or portion of the right is leased to another in accordance with a transfer of or change in the right.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: None.

Testimony Against: None.

Testified: None.