

ANALYSIS OF HB 3060

House Agriculture & Ecology Committee

February 5, 1998

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:

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.

*Prepared for the House Agriculture & Ecology Committee
by Kenneth Hirst , (786-7105)
Office of Program Research*