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**SUBSTITUTE HOUSE BILL 1110**

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**State of Washington**

**55th Legislature**

**1997 Regular Session**

**By** House Committee on Agriculture & Ecology (originally sponsored by Representatives Chandler, Mastin, McMorris, Koster, Delvin, Mulliken, Schoesler and Honeyford)

Read first time 02/12/97.

1 AN ACT Relating to water resources; and adding a new section to  
2 chapter 90.03 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 90.03 RCW  
5 to read as follows:

6 (1) No action taken by the department of ecology to withdraw the  
7 unappropriated water of the main stem of the Columbia river from  
8 further appropriation may apply to an application filed with the  
9 department before September 1993 that is:

10 (a) For the use of less than seven hundred gallons of ground water  
11 per minute or for the use of less than one and six-tenths cubic feet  
12 per second of surface water;

13 (b) For the use of seven hundred gallons or more of ground water  
14 per minute if the applicant chooses to amend the application to apply  
15 to the use of less than seven hundred gallons of ground water per  
16 minute; or

17 (c) For the use of one and six-tenths cubic feet per second or more  
18 of surface water if the applicant chooses to amend the application to

1 apply to the use of less than one and six-tenths cubic feet per second  
2 of surface water.

3 (2) This section applies to the surface water of the main stem of  
4 the Columbia river upstream of the confluence of the Columbia river and  
5 the Snake river. This section also applies to any ground water that,  
6 based upon its being hydraulically continuous with the surface water of  
7 the main stem of the Columbia river upstream of its confluence with the  
8 Snake river, is governed by an action of the department of ecology  
9 withdrawing the unappropriated water of the main stem of the Columbia  
10 river from further appropriation.

11 (3) The legislature finds that WAC 173-563-015 as it exists on the  
12 effective date of this section is in conflict with this section and is  
13 void to the extent of the conflict. The department shall notify each  
14 person who filed an application on or after December 20, 1991, and  
15 before September 1993 for ground or surface water described in  
16 subsection (2) of this section regarding the provisions of this  
17 section. The notice shall include a copy of this section.

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