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**SUBSTITUTE SENATE BILL 6141**

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**State of Washington**

**55th Legislature**

**1998 Regular Session**

**By** Senate Committee on Agriculture & Environment (originally sponsored by Senators Morton, Rasmussen, Winsley, Goings and Schow)

Read first time 02/06/98.

1 AN ACT Relating to water rights; and amending RCW 90.03.015 and  
2 90.03.330.

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

4 **Sec. 1.** RCW 90.03.015 and 1987 c 109 s 65 are each amended to read  
5 as follows:

6 As used in this chapter:

7 (1) "Department" means the department of ecology;

8 (2) "Director" means the director of ecology; (~~and~~)

9 (3) "Person" means any firm, association, water users' association,  
10 corporation, irrigation district, or municipal corporation, as well as  
11 an individual;

12 (4) "Municipal water supply purposes" means the use of water to  
13 satisfy the needs of:

14 (a) A city;

15 (b) A town; or

16 (c) A public water system as defined in chapter 70.119A RCW or an  
17 approved satellite system management agency under chapter 70.116 RCW.

18 For the purposes of this subsection, a public water system must:

1 (i) Deliver water to more than one hundred equivalent residential  
2 units serving domestic use and one or more of the following associated  
3 uses: Public, commercial, or industrial water use; and

4 (ii) Be required to serve potential customers under chapter 70.116  
5 or 43.20 RCW.

6 Only that portion of water use, upon authorization by a water  
7 right, supplied by an irrigation district organized pursuant to chapter  
8 87.03 RCW, that meets the criteria identified in this subsection for a  
9 public water system shall be designated to be for municipal water  
10 supply purposes.

11 **Sec. 2.** RCW 90.03.330 and 1987 c 109 s 89 are each amended to read  
12 as follows:

13 (1) Upon a showing satisfactory to the department that any  
14 appropriation has been perfected in accordance with the provisions of  
15 this chapter, it shall be the duty of the department to issue to the  
16 applicant a certificate stating such facts in a form to be prescribed  
17 by him, and such certificate shall thereupon be recorded with the  
18 department. Any original water right certificate issued, as provided  
19 by this chapter, shall be recorded with the department and thereafter,  
20 at the expense of the party receiving the same, be by the department  
21 transmitted to the county auditor of the county or counties where the  
22 distributing system or any part thereof is located, and be recorded in  
23 the office of such county auditor, and thereafter be transmitted to the  
24 owner thereof.

25 (2) Certificated appropriations for municipal water supply purposes  
26 are vested, beneficially used, and perfected to the extent that the  
27 certificated withdrawal rates will be required to supply the public  
28 water system's instantaneous and annual demand within the public water  
29 system's approved service area, as established by the most recent  
30 fifty-year population projections in the county's growth management  
31 plan, approved water system plan, or the office of financial  
32 management.

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