
HOUSE BILL 1642

State of Washington

56th Legislature

1999 Regular Session

By Representatives Grant and Mastin

Read first time 02/01/1999. Referred to Committee on Agriculture & Ecology.

1 AN ACT Relating to surface water permits and rights; amending RCW
2 90.03.030; and adding a new section to 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 The department may approve under RCW 90.03.380 a change of the
7 point of diversion for an undeveloped portion of an existing water
8 right permit from an existing authorized point of diversion downstream
9 to an existing intake structure with the available capacity to
10 transport the additional diversion, if there is no change in ownership
11 of the permit and the original purpose and place of use of the water
12 under the permit are not changed.

13 This section may not be construed as limiting in any manner
14 whatsoever other authorities of the department under RCW 90.03.380 or
15 other changes that may be approved under RCW 90.03.380 under
16 authorities existing before the effective date of this section.

17 **Sec. 2.** RCW 90.03.030 and 1987 c 109 s 68 are each amended to read
18 as follows:

1 Any person may convey any water which he or she may have a right to
2 use along any of the natural streams or lakes of this state, but not so
3 as to raise the water thereof above ordinary highwater mark, without
4 making just compensation to persons injured thereby; but due allowance
5 shall be made for evaporation and seepage, if any, the amount of such
6 seepage to be determined by the department, upon the application of any
7 person interested. The same authority is granted both for conveyance
8 of water in, and for subsequent conveyance of water from, a watercourse
9 located in a neighboring state, if the neighboring state's approval of
10 the conveyance is documented to the satisfaction of the department and
11 the right to use the water conveyed is by authority of an existing
12 permit or certificate of water right.

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